



THE FIRST EUROPE

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*by* C. Delisle Burns

PRINCIPLES OF REVOLUTION

GOVERNMENT AND INDUSTRY

A SHORT HISTORY OF INTERNATIONAL INTERCOURSE

INDUSTRY AND CIVILISATION

THE PHILOSOPHY OF LABOUR

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AN INTRODUCTION TO THE SOCIAL SCIENCES

MODERN CIVILIZATION ON TRIAL

LEISURE IN THE MODERN WORLD

THE HORIZON OF EXPERIENCE

THE CHALLENGE TO DEMOCRACY

# THE FIRST EUROPE

*A Study of the Establishment of  
Medieval Christendom*

A.D. 400—800

*by*

C. DELISLE BURNS

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TO  
BARBARA and LAWRENCE HAMMOND  
with gratitude and affection



## PREFACE

The First Europe was that of the Middle Ages, the establishment of which is the subject of this book. It was the Europe of the united Christendom of the Latin Churches and of local lordships in continuous minor conflicts. The second Europe came into existence at the Renaissance and Reformation; and it has lasted almost until our own times. It was the Europe of independent Sovereign States, which were saved from extermination in mutual conflicts by expansion in the New World, the East and Africa. The third Europe does not yet exist.

For those who desire to make a third Europe of peace between nations and between social classes, and of well-being for the "plain people," the interest in the formation of the First Europe may be found partly in analogies between our position and that of our ancestors fifteen hundred years ago. They were at the beginning of a social transition in which slavery was transformed into serfdom, and an old unity, based upon a military dictatorship, was changed into the unity of western Christendom. In that time is to be found the real basis of modern democracy—the assumption that all human beings have an equal right to derive benefit from the social system and all adults an equal responsibility for its maintenance. This assumption is directly derived from the experience of the Christian Churches. The transition from the Roman Empire in A.D. 400 to medieval Europe in A.D. 800, was achieved by experiment and the invention of new social institutions. New moral standards and new conceptions of the moral worth of all human beings began at that time to dominate western Europe. The political and economic changes were less important than these, just as at present we are faced by moral problems more fundamental than the economic and political. Also, we know what it is to feel that the barbarians are at the gates. But the decay of an old civilization is less important

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than the creation of a new. And the four centuries dealt with in this book were ages of creation.

Another interest in this period may be derived from the survivals in contemporary society of functionaries and institutions of the early Middle Ages—for example, kings, bishops, churches and certain types of law. Also, about a thousand years ago in western Europe were to be found the beginnings of those rivalries which still obstruct the establishment of peace: for example, the long-standing rivalry between the peoples living to the East and the West of the Rhine, may be traced to the manner in which the so-called Holy Roman Empire came into existence. In that far past may be found the first traces of what is now called the "Axis," connecting Italy and Germany, and of the common Christian tradition of England and France. Indeed, it would be well if political theorists who now write about "the State," would study the problem, not of power but of *moral authority*, as it was in the last days of the Roman Empire in western Europe and in the new barbarian kingdoms. In the same period "nations" began to be the basis of State organization and not cities; different languages of equal cultural value arose beneath the superficial Latin of the learned caste, and a civilization developed which was dependent not upon one intellectual or cultural centre but upon interchange between many.

Between us and that first transition there lie both the experience of medieval Europe, which clearly was in continual development, and the second great transition which produced the wages system, industrial capitalism and Sovereign States. But the transition which produced the First Europe is still of interest, because it seems to have been the result of efforts to face problems as fundamental as our own. Then as now, a tradition of centuries seems to have been shattered by a *nomadism* which is to be found not merely in the wanderings of barbarian tribes, but also in the diversity of opinions and ways of life. In our day a certain nomadism of the mind, which divides society, and especially its more thoughtful members, into rival and sometimes hostile groups, is the sign of deeply-seated unrest. It seems to be due to causes very similar to those which

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operated in western Europe between A.D. 400 and A.D. 800. New experiences, new social ideals, new moral standards then appeared on the horizon, which could not be fitted into the traditional institutions or adjusted to the traditional ideals of conduct. Nomadism in any type of civilization is to be found where a great number of men and women are *déracinés*, having no recognized function in the community and no great interest in the continuance of the system into which they have been born. In our day widespread unemployment in the Democracies and the still more pernicious militarization by which the Dictatorships try to solve the problem, are signs of a fundamental social dislocation. Fifteen hundred years ago, in the last days of the Roman Empire in the West, slaves and poor farmers in flight from oppression, and the masses of men and women kept alive by gifts of food from the Public Authorities in the great cities, played their part in the dissolution of local religions and customs, which preceded the recognition of all human beings as members in the one community of Christendom. The nomadism of the mind in those centuries is to be found in the differences of opinion and purpose, expressed in their literature.

This book is concerned with the changes in the climate of opinion in western Europe between A.D. 400 and A.D. 800—in the so-called Dark Ages. During these centuries the First Europe was brought into existence by men and women working in circumstances much more difficult than our own, in the light of ideals which moved them, and with such little knowledge and ability as they possessed. It was a time of social transition. The dissolution of the social system of which the Roman Empire was the last defence, left western Europe a chaos out of which a new world was created. But much more attention has been paid by historians to the ruins of the Roman system than to the laying of the foundations of that Europe which we now inhabit. This book, on the other hand, definitely looks forward to medieval Europe and not backwards to the Roman Empire. It is not a chronicle of events. Such events and dates as are mentioned are used only to indicate the framework within which the action and thought of men were conducted during four centuries of transition. They built their world upon a



new design, although they used for it material found among the ruins of the past. It is indeed ridiculous, historically, to treat medieval Europe as a mere interval of "Gothic" barbarism between Roman civilization and the Renaissance. But some of our greatest historians have made that mistake. Again, the ages called "dark" were times in which work was being done at foundations; or to change the metaphor, the new shoots hardly yet showed themselves above the surface. The cynic may indeed suppose with some justification that the "Dark Ages," like the "Dark Continent" of the nineteenth century, were called "dark" chiefly because most historians knew nothing about them.

In order to study the climate of opinion during a social transition, it is necessary to read the letters, treatises and chronicles produced at the time. On these alone this volume is based. Such a mass of learned works, chiefly in French and German, has been accumulated around the original documents, that the student is in danger of being lost in the ivy while he examines the building. Most of the documents are in Latin or Greek, in the great collections made by Migne and Mansi, in the *Monumenta Germaniae Historica* and in the *Corpus* of Latin ecclesiastical writers; but it will be clear from the references in the text that I owe a great debt to the scholars of France and Germany who have edited and annotated and written treatises on the original documents.

Almost all these documents have been available for the use of historians since the eighteenth century and have been used by Gibbon and other great scholars. But the same documents may contain material for the discussion of problems which were less familiar even twenty years ago than they are now; and, as Lord Acton said, the study of history should deal not with periods but with problems. The problem I have had chiefly in mind is the relation between armed force and moral authority in the art of government and in social organization generally, especially during a period of transition. With this is connected a study of the methods by which moral authority is acquired in new social relations. Mythology and the belief in magic had important effects upon the

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institutions of the First Europe. They take different forms in different ages; but they are not unknown even to-day as sources of social influence. Again, what at first sight appears to be a dissolution of moral standards is sometimes, as in western Europe after the fifth century, a sign of the growth of new ways of life and the establishment of new moral ideals.

The dates of the chroniclers and historians referred to in this book, and the general character of their works, are discussed in the appendices to Bury's edition of Gibbon; and some of the Latin treatises of the same dates are summarized in Laistner's *Thought and Letters in Western Europe, A.D. 500-900* (1931). Among the more recent studies of the period are Hodgkin, *Italy and her Invaders, A.D. 376-814* (1892-1899, 8 vols.), Fustel de Coulanges, *Institutions Politiques de L'Ancienne France* (6 vols., 2nd ed., 1904), Duchesne, *L'Histoire Ancienne de l'Eglise* (1911, 4 vols., Eng. trans. 1909-1925), the same author's *Les Premiers Temps de l'Etat Pontifical* (2nd ed., 1911) and Eric Caspar, *Geschichte des Papsttums* (1930-1934, 2 vols.).

In the text of this book English only is used, reference being made to other languages only when no satisfactory equivalent exists in English; because the book is intended, not for specialist scholars of the period, but for the ordinary reader who is interested in the problems of social transition. Obviously a study of the climate of opinion cannot be confined only to the discussion of social institutions. But this volume is so confined, in order that a further study may follow, which will deal with the changes in the moral standards and the philosophical views of the universe and of man in the early Middle Ages. In this volume, wherever it is indicated that the problem will be discussed "elsewhere," reference is made to a second volume not yet completed.

My own interest in the problem of social transition began more than thirty years ago when, after taking the Classical Tripos in the University of Cambridge, which gave me some slight knowledge of the Roman Empire, I spent four years in Rome and its neighbourhood, studying the use made of the ruins of that Empire in the early Christian basilicas, mosaics, inscriptions and other memorials.

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These records of the first attempts to create medieval Europe have, no doubt, affected my views of the written documents of the period. It seems to me impossible to study the history of any period without some knowledge of the buildings and the plastic arts produced by the people of that time, and some appreciation of the customs and beliefs which serve to explain the form taken by the arts. In Rome also I studied medieval philosophy by attendance at Latin lectures and by myself maintaining "theses" in "disputations" in Latin—no doubt reminiscent of the "Letters of Obscure Men" and of Rabelais' problem: "Whether a chimera buzzing in empty space can eat second intentions." Again, the historian may find it useful to have some acquaintance with the districts familiar to the writers and men of action of the time he is studying. The geographical features of central and northern Italy, of France, eastern England and the Rhine country have not changed for more than a thousand years; and I have had the advantage of journeys in the Roman Campagna, Tuscany, Liguria, Lombardy and Venezia, and also of following the whole course of the Moselle and so appreciating the scenes which infused a little poetry into the lifeless verses of Ausonius. I know also the forests around Aachen, where Charles the Great hunted, and those north of Fulda, where St. Boniface founded his monastery "in the wilderness." The French part of my family came from the region round Bordeaux, where, in the fifth century, Ausonius and Paulinus of Nola held property, and where in the early ninth century Louis the Pious suffered education. From a knowledge of the coastal defences of 1940, in England to guard against Germanic invasion, I can appreciate the worries of the Count of the Saxon Shore (*Comes litoris Saxonici*); and the Roman forts under his jurisdiction, which I have seen at Anderida (Pevensey) and Burgh Castle on the Waveney, are as impressive even to-day as more recent defences. In reference to the problem, rather than the period, I worked in public offices between the years 1917 and 1934 in unimportant positions, but at certain specific difficulties of the first attempts at social reconstruction in our own day, after the war that was "to end war." First, as an official of the Central Government in England, in the Ministry of

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Reconstruction and the Ministry of Labour; later, in the Central Office of the Labour Party, I learnt to appreciate such difficulties as a Roman official in the sixth century may have had to face. Again, in discussions with officials of the League of Nations at Geneva and of the Central Governments in Paris, Berlin, Vienna and Warsaw, I thought I was watching the establishment of the third Europe. Only after the "first barbarian kingdoms" collapsed in 1932 and 1934, as in the sixth century, did I turn back to the history of the first "black-out."

The first barbarian kingdoms of the sixth century failed because they were too closely copied from a model that had decayed. And clearly the settlement of 1919 failed because of *archaism*, not utopianism. The Peace Settlement of 1919 collapsed, not because those who supported it were moved by ideals which were too exalted for practical politics, but because both the idealists and the practical politicians were thinking in terms of Sovereign States—terms which belonged to the Renaissance and were archaic in the twentieth century, exactly as the conception of a centralized Empire was obsolete in the ninth century. The history of the "Dark Ages," however, shows how difficult it is for any age to escape from the ghosts that haunt the graves of the past.

My thanks are due first to the best of friends, J. L. Hammond and Barbara Hammond, who have read through the whole of my manuscript and made the most valuable criticisms and suggestions; and also to R. H. Tawney, who has done the same for some of the chapters. I was fortunate in having the assistance of historians who understand that the writing of history involves making moral judgements as well as recording facts. I thank also my wife for her labour in writing down a great part of the manuscript, and for carrying about the large volume of Mansi's *Concilia* and of the *Codex Theodosianus* in the edition of Gothofredus—no light labour. Thanks are also due to the Librarian of Dr. Williams's Library, Mr. Stephen K. Jones, who found for me some of the less easily traced passages; to my brother R. E. Burns for studying sections of late Latin and Greek documents with the long-suffering of the classical

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scholar when he reads anything later than Thucydides and Tacitus.

For assistance on special points I have to thank also my friends Count Guglielmo degli Alberti, Sir Eric Maclagan, Mr. M. P. Charlesworth and Miss J. M. C. Toynbee.

It need hardly be said that any judgements expressed upon persons and institutions are my own; and so are any mistakes which may have escaped the attention of my friends.

C. DELISLE BURNS

DORKING, *Martinmas* 1941

Owing to the death of my husband before the completion of the proof-reading some errors and omissions may have escaped notice. For these I must apologize. I should also like to express my thanks to those friends, and especially to my brother-in-law, R. E. Burns, who gave me valuable assistance in the final reading of the proofs.

M. DELISLE BURNS

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## ABBREVIATIONS

<i>C.I.L.</i>	<i>Corpus Inscriptionum Latinarum.</i>
<i>Cod. Theod.</i>	<i>Codex Theodosianus</i> , ed. Mommsen and Meyer.
<i>C.S.E.L.</i>	<i>Corpus Scriptorum Ecclesiasticorum Latinorum.</i>
<i>H.E.</i>	<i>Historia Ecclesiastica</i> (various authors).
<i>Mansi</i>	<i>Conciliorum Omnium Amplissima Collectio, etc.</i> , ed. Mansi.
<i>M.G.H.</i>	<i>Monumenta Germaniae Historica.</i>
<i>Pat. Graec.</i>	<i>Patrologia Graeca</i> , ed. Migne, Paris.
<i>Pat. Lat.</i>	<i>Patrologia Latina</i> , ed. Migne, Paris.
<i>Script. R.G.</i>	<i>Scriptores Rerum Germanicarum</i> , 8vo, reprints of texts in <i>M.G.H.</i>

## CHAPTER I

# INTRODUCTION

### THE FORMATION OF THE FIRST EUROPE

The First Europe came into existence during the four hundred years from the beginning of the fifth century to the end of the eighth century of the Christian era. It included, geographically, the countries now known as France, England, Ireland and southern Scotland, western Germany, central and northern Italy and northern Spain. Its peoples spoke Germanic languages in the North and East, and variations of Latin in the South and West. They were socially united in a Christendom which excluded the older eastern forms of Christianity; but they were divided by local lordships. This First Europe was, indeed, dependent in its earlier years upon the older cultures of the Mediterranean, which had produced finally the Roman Empire; but it was a new type of civilization. Thus, the word Europe became, after the collapse of the Roman Empire in the West, more than a geographical expression; and it was used in the new sense for the first time in the ninth century, for example, by Nithard the ninth-century historian, when he wrote that Charles the Great at his death "had left all Europe in the greatest happiness."<sup>1</sup> Europe is thus distinguished, not only from other lands, but from the tradition of the Greek-speaking Churches and Empire, and from Islam. From that time Europe was "the West"—not merely a different place but a different spirit.

The Roman Empire had never been European or Western, in the modern sense of these words. It had always united the countries surrounding the eastern Mediterranean, from which it drew its

<sup>1</sup> Nithard, Hist. I: "Karolus . . . merito Magnus imperator ab omnibus nationibus vocatus . . . omnem Europem in summa bonitate reliquit." Nithard wrote between A.D. 841 and A.D. 843.

chief wealth, with the less developed countries of the West, including northern Gaul and Britain. And when, at the beginning of the fourth century, first Diocletian and then Constantine removed the central administration from Rome eastwards, it had become obvious to Roman generals and lawyers, as well as to the adherents of Christianity, that the real centre of the Empire lay at the junction of Asia and Europe. The Roman Empire was based upon the control of the trade routes in the basin of the Mediterranean. It inherited the conquests of the Greek successors of Alexander in Egypt, Syria and Asia Minor. And although it had also succeeded to the conquests of the Roman Republic in the West, these were of less importance, three centuries after Augustus, than the rich and populous cities of what is now called the "Near East."

The civilization of the First Europe was quite distinct from the Roman. It did not depend upon the Mediterranean. It was the creation of the Latin Churches, and not of any one military or civil power. Its intellectual centres were in northern France, the Rhine country, England and northern Italy. Its architecture and other plastic arts were original experiments to meet new needs. Its music came out of popular songs. Its organizations of a learned caste, the clergy, of monasteries and of the universities which were later established, were new social inventions. Thus, the First Europe of the so-called Middle Ages, was an original experiment in new ways of living and thinking. Medieval civilization was more primitive than the Roman in externals, because it lacked, for example, baths and roads; and in culture it was more primitive, because it lacked that natural intercourse between educated men and women, which existed in the Roman villas and city mansions. But in other aspects it was an advance upon Mediterranean civilization; for example, in its moral and religious ideals, in its community of feeling between the rich and the poor and in its widespread sense of social responsibility. If character and conduct in different ages are to be compared, St. Francis was not more civilized than Seneca, but he had wider and more subtle sympathies; and Abelard, Aquinas and Occam were better thinkers than Cicero and Pliny, although their observation and experience were more limited. The

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greater philosophers of ancient Athens cannot be supposed to add credit to the Roman Empire, the culture and social organization of which retained few traces of their teaching in the fifth century of the Christian era. To avoid misunderstanding, therefore, it should be clearly stated that medieval civilization is regarded here as only a first stage in the development of a pattern of culture, whose later forms were the second Europe of the sixteenth to nineteenth centuries, and the third Europe now being established. To compare the Roman system at its best under the Antonines, or in its later years under Constantine or Theodosius the Great, with the First Europe in the days of Charles the Great, is like comparing a great river, losing itself in the sands at the end of its course, with a mountain torrent from which a still greater stream arises. Or again, to change the metaphor, the early history of the First Europe treats of the roots of that great tree which has now expanded into modern science, modern music and arts, and modern skill in government. But the roots of that tree, if exposed to the light of history, may not appear so attractive as the latest faded flowers of Greek and Roman culture.

Although medieval civilization, throughout its whole course until the Renaissance, and certainly in its first years, was more primitive than the Roman, its roots struck far deeper among all classes of the community; and it contained forces much more powerful than the Roman Empire had ever included. The doctrine and practice of the Christian Churches, based upon the belief that each human being had an immortal soul to be saved, and that all were in some sense equal as Christians—this was one of the most important influences in the formation of what is now known as democracy. Democracy as an ideal means a social system of liberty, equality and fraternity for all men, and not a system in which a few share freedom among themselves in order the better to control the rest. And democracy as a system of government, by which the ideal may be approached, means at least some control by the "plain people" over their rulers and agents and some right of public discussion concerning public policy. But even in this sense, the sources of some elements in the democratic tradition of to-day

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are to be found in the election of bishops in the earliest Christian Churches and in the meeting of bishops as representatives in Synods, rather than in ancient Athens or Rome.

The word "democracy" in Greek did not refer to slaves and women as members of the political community, although, as in the case of cattle, their owners and masters might care for them. On the other hand, the Athenians developed and the Roman Republic preserved the power to criticize and remove public authorities and the free discussion of public policy by all citizens. But neither criticism nor discussion survived in the Christian Churches; and the democracy of early Christianity had passed, before the fifth century, into a form of despotism under the control of the bishops and clergy. The democratic tendency of Christianity in medieval Europe survived only in the sacraments and ceremonies, which were equally shared by all, and in early Christian documents which served at times to support protests against despotism, political or clerical. Nevertheless, democracy in the modern sense of that word, did in fact arise within the Christian tradition and not elsewhere. Medieval civilization was also the source of the great European literatures and of modern European music and plastic arts. Even modern experimental science can be traced to the practices of magic, both sacred and secular, in the Middle Ages. But in social institutions the early years of the First Europe were still more important for the future. At that time the system of nation-States had its origin in the barbarian kingdoms which replaced the Roman provinces in the West. The Roman organization of Christian communities spread from Italy and Gaul into England, Ireland and Germany. The great monastic system of the West was established; and pilgrimage connected the common people of all Europe. These are the roots of the First Europe.

This book deals less with the disappearance of the ancient world than with the first signs of the new civilization, of which our own is the direct descendant. In order, therefore, to express the difference between the beginning and the end of the process which is to be studied, a short series of contrasts may be described.

## INTRODUCTION

### *The Contrast between A.D. 400 and A.D. 800*

Of the most obvious institutions in A.D. 400 the Roman Empire is the best known. It was one system of government which included all the lands from northern Britain to the borders of Iraq, and from the Rhine and Danube to the Sahara. In A.D. 800, on the other hand, the same institution, still called the Roman Empire, included only part of the Balkan peninsula and of Turkey, within easy reach of its capital at Constantinople. But in western Europe separate kingdoms under Germanic chieftains were established in Gaul, then called western France, and Germany, then called eastern France, in Italy, in England and in northern Spain. The most striking feature of the change is the localization of government. Many different and independent centres of power and authority had taken the place of one; although all these countries were felt to be united against the outer world, as Latin Christendom. Africa north of the Sahara and southern Spain were ruled by Mohammedan Caliphs. In the East were unknown tribes; and in the West, the Ocean.

In A.D. 400 the Roman Emperors, who were Christian and Catholic, were legislating on doctrine and Church discipline, with the advice of bishops, who were themselves largely under the control of imperial officials. But by A.D. 800 there was an imperial Church, outside the surviving Roman Empire in the East, subject to the bishops of Rome, legislating for itself, and sometimes using the power of local kings for civil as well as ecclesiastical organization. A large part of western Europe was united again, but now by the organization of the Latin Churches, which had lost contact with the Christianity of the eastern Mediterranean. Less obvious, but more important than the great changes in political and ecclesiastical institutions, was the change in the system of production and distribution. In A.D. 400 the Roman Empire depended upon the organization of great cities—Rome, Constantinople, Alexandria, Carthage, Arles and the rest, whose populations obtained food and clothing from distant sources of supply. There was a trade in slaves, food-stuffs and raw materials throughout the Mediterranean basin, extending also to the Rhine country, northern Gaul and Britain,



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A cultured, city-bred, rich class provided administrators for a single system of economic customs and political laws. By A.D. 800 all this had disappeared from western Europe. The great Roman cities were in ruins; and their diminished populations continually suffered from plague, famine or the raids of armed gangs. Trade between the East and the West of the Mediterranean basin had almost come to an end. The slave-trade hardly existed; and neither ships nor road traffic were able to carry raw materials and food-stuffs for long distances. Distribution, therefore, had become local. It was organized by local landowners, controlling serfs tied to the soil, but possessed of customary rights. The ruling class, except for a few of the higher clergy, consisted of ignorant, illiterate, country-bred "sportsmen," whose chief enjoyment, when not killing or robbing their neighbours, was hunting game in the forests. In the four centuries that followed the fifth, a great process of de-urbanization was taking place. The population was more evenly spread over the whole area of north-western Europe. Thus, medieval Europe was embodied in the primitive castles and the abbeys and not, at any rate in its first phase, in the houses or churches of merchants and craftsmen in the towns.

Again, in A.D. 400 the centres of intellectual activity, of the arts and of trade, were the sea-ports of the Mediterranean basin—Constantinople, Alexandria, Carthage, Arles and Rome. By the ninth century the centres of activity in the First Europe lay in the North-West—Paris, Tours, Fulda, and, in later years, Antwerp and London.<sup>1</sup> Thus the geographical setting for the new type of civilized life lay in countries on the border of the great ocean, which proved eventually to be, not the limit of the earth, but the pathway to a new world. Finally in A.D. 400 Christianity was a proselytizing religion, fighting long-established customs and beliefs of many different types; and Christianity itself, even among the more simple-minded western races, was divided into different sects—Arians, Donatists, Priscillianists and others. It was organized in local congregations or Churches, each independent of the other,

<sup>1</sup> The revival of Italian cities after the eleventh century introduces another problem—the contact of the West and the East after their severance.

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but connected by a common literature and ritual, and by the Councils of bishops. Later, in A.D. 800, in western Europe Christianity had become Christendom. Everyone was assumed to be Christian and Catholic. The Latin Churches of the West had coalesced into one imperial Church controlled by a separate caste of clergy, monks and nuns, most of them celibates, under the government, at least in theory, of the bishops of Rome.

### *Romans and Germans*

The contrast between A.D. 400 and A.D. 800 is startling. What is here attempted is to explain how and why the change occurred. In its earliest stages the change may be regarded as due to a conflict between a particular type of civilization and a particular type of barbarism. It is assumed in what follows that the "pattern of culture" called the Greek-Roman civilization, embodied in the late Roman Empire, was only one of many possible forms of civilized life. Not civilization in general, but only Roman civilization was in question in the fifth century, although most of the writers of that time thought of their own tradition as civilization itself. In the same way, some writers and speakers of to-day who lament the danger to "civilization," fail to perceive that an earlier pattern of culture may be replaced by a better. The Roman system was the last of the great predatory Empires based upon slavery; but it brought unity and extended culture throughout the countries in the basin of the Mediterranean. Its best products were regarded by eighteenth-century historians as standards for all civilized men; and they were therefore unable to understand or appreciate the new forms of civilization which took its place. But they were not wrong in supposing that any form of civilized life is better than any barbarism, although it is always difficult to distinguish the first signs of a new civilization from the barbarism by which it is surrounded.

This book is concerned with the transition from one type of civilization, the Roman, to another—the European. Any form of civilization is a complex of social relationships, more varied and more intricate than those of barbarism. Among civilized men and

women opinions and tastes differ, and social customs are continually adjusted by individual experiment. Occupations are differentiated in what is called the division of labour, and the political and economic "interests" of the members of any community, and of different communities, are different and interdependent. In barbarism, on the other hand, all the members of the community are as far as possible alike in opinions, tastes, occupations and interests. Society is homogeneous. Established custom and belief control daily life and prevent variation. One man, or one caste of magicians or lords, provides the rules for thought and action. And therefore even in civilized communities the simplicity of barbarism has an attraction for minds weakened by personal distress or confused by social unrest, as it had for the Cynics in ancient Greece and the hermits of the third and fourth centuries of the Christian era.

Although civilization and barbarism are face to face, the chief purpose of our discussion is to show, not how an old civilization disappeared, but how a new civilization arose. Social relations change when a child becomes a man, when acquaintances become husband and wife, or when lovers use telephones instead of writing. When such changes occur, it is misleading to think of them as a decay or decline of an earlier system. It would be absurd to treat a change in social custom, such as the wearing of trousers instead of tunics in the fifth century, as a decay or decline of anything whatever. Biological metaphors applied to types of civilization or patterns of culture misrepresent the facts. Indeed, in times of social transition there is greater vitality among ordinary men and women than at other times, precisely because the displacement of ancient customs compels them to think and act for themselves. Again, the transition from a long-established social system to the crude beginning of a new Order, must not be rendered in terms of good and bad. French is not bad Latin. But from the fifth to the ninth century, when the transition from Latin to French was taking place, the finer qualities of the new language were not so easily perceived, especially by the educated, as the mummified elegance of the Latin of the vanished past. As in the history of language, so in that of the plastic arts, the splendid temples of ancient Rome

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were more magnificent than the Christian basilicas of the fourth century and their mosaic decoration. But in the study of the transition to a new type of civilization it is necessary to foresee in the colours of the mosaics the future development of the decoration of the Christian Churches in the glass of the cathedrals of Chartres and of York. Thus, the transition from the Roman system of civilization must not be regarded primarily as the spread of barbarism.

On the other hand, the barbarism by which the Roman system was faced in the fifth century, was not barbarism in general, but a particular form of it. It was the barbarism of the Gothic and Germanic tribes introduced at first into the heart of the Roman world as its defenders. Historians of the nineteenth century, however, were as mistaken in their estimate of Germanic barbarism as their predecessors had been in their view of Roman culture. By the later historians, the Germanic barbarians were taken to be pure-souled, loyal and valiant supplanters of an effete social and political system. This astonishing mistake was, no doubt, partly due to a misunderstanding of the prejudices of the Christian Fathers, partly to the Romantic Movement, but chiefly to the uncontrolled imagination of sedentary scholars. As it is clear from contemporary records, the Germanic barbarians, with a few noble exceptions, were drunken, lecherous, cowardly and quite untrustworthy, even among those for whom they professed friendship. They did not indeed suffer from such vices of luxury as may be due to fine clothes, baths and good cooking. Simplicity has its attractions, even when, as Sidonius Apollinaris says, it stinks.<sup>1</sup> But the Vandals in Africa in the fifth century showed that the so-called virtues of barbarians were largely due to their ignorance of the more subtle tastes of civilized men. And it is an absurdity to treat Theodoric the Ostrogoth or Clovis the Frank as examples of nobility or valour. The first, with his own hand, killed his guest; the second split open the skull of a subordinate, when his back was turned. These men were savages. But the particular form of barbarism

<sup>1</sup> *Felicemque libet vocare nasum*, etc. (*Carm.* xxiii. 13). "Happy the nose which cannot smell a barbarian." This was written about A.D. 455 in Gaul.

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which can be contrasted with the Roman type of civilization in the fifth century, was certainly Germanic. A great German historian has said that "the process of barbarization of the Roman Empire was a process of Germanization."<sup>1</sup> The barbarism, therefore, with which this book is concerned, is not barbarism in general, but only one type of it.

In very general terms, the characteristics of Roman civilization and of Germanic barbarism may be described as follows. Under the Roman system the relations between men, women and children were complicated and various. A long-established system of slavery had been somewhat modified, under Stoic and Christian influence, to the advantage of the slaves. But the slave population was large; and even soldiers had slaves. Legal rights of ownership, marriage, inheritance and trade were clearly defined; and an official administration made them effectual. The mechanisms of production and transport were well developed. Public buildings and aqueducts still remain to prove the existence of applied sciences of which barbarians are ignorant. The minor arts of clothing and the preparation of food were carried on in a characteristic form, as it is still evident in the Roman dress of the fifth century, which has served as a model for ecclesiastical costume and vestments surviving into modern times. The fine arts in the fifth century were superficial and derivative. Writers lived upon the pages of other writers, long since dead; and artists in the plastic arts spent their energies upon ornament rather than structure and function. But the fine arts had a recognized place in society.

Germanic barbarism, on the other hand, was the common characteristic of a number of disconnected small tribes, speaking dialects hardly yet developed into languages. Each of these tribes was as much, if not more, hostile to its neighbours than to the Roman Empire. The young men of these tribes, with some camp-followers, eagerly left the tribal settlements to seek booty or service in war under Roman commanders. They were simple folk, without

<sup>1</sup> Mommsen, *Römische Geschichte* (1885), Part v, bk. viii, ch. 4. The words in German are: "Die letzte Phase des römischen Staats ist bezeichnet durch dessen Barbarisierung und speciell dessen Germanisierung." Eng. Trans. in Mommsen, *Provinces of the R.E.*, vol. i, p. 168.

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any skill in agriculture, building or other useful arts, whose social relationships, as expressed in their legal customs, were troubled chiefly by personal violence, murder and stealing. That is to say, they were in that situation which sociologists describe as a transition from the pastoral to the agricultural stage of social development. In their entertainments and their religion, some customs and beliefs survived from a still earlier stage of social development—that of the hunters. Thus, even when the barbarians had entered into territories hitherto Roman, they preserved the pleasures of the chase and their belief in the magic of woods and sacred places. The members of a small barbarian community were, no doubt, more closely united in the simplicity of their minds, and in loyalty to their chieftains, than were the men and women of the more complex Roman city life. This may have been the basis of the idea of romantic historians that loyalty and honour were barbarian virtues. But any barbarian community faced two dangers. First, if it took service under one Roman general, it might be reduced to slavery by the victory of another; and, secondly, if it remained outside the Roman frontiers, it might suffer from the slave-raids which had been essential for many centuries before the fifth in order to supply the Roman world with cheap labour. No doubt, this is the basis for the idea that Germanic barbarians stood for “freedom.” Tacitus wrote in the second century a brilliant political pamphlet on the “noble savage,” the *Germania*. This attack upon the political opponents of Tacitus in Rome has been used, even in modern times, as evidence of the situation among the German tribes three hundred years after Tacitus wrote. But the Germanic barbarians were, like other barbarians, entangled in continually changing social situations, with their own defects and advantages. The same situations existed, in the main, among non-Germanic barbarians of the North, with whom the Roman populations came into contact—the Huns, the Avars, and the Slavs; but no Tacitus has made political capital out of these savages. Neither German nor other barbarians in the second or in the fifth century can be used by a modern historian as models of morality, with which to contrast the decadence of the Roman upper class. But the very simplicity of

the barbarian mind in a barbarian society has its uses, if a new step is to be made in the history of civilized life. At least a futile culture will be brought down to common earth.

The barbarian warriors and the tribes from which they came, were not opposed to Roman civilization, and certainly did not mean to destroy it. Indeed, they asked nothing better than to be allowed to share in its products—food, wealth, security and more refined pleasures. Barbarian warriors sought pay or booty; and in the later fifth century discovered that they could obtain more wealth by settling among a civilized population than by looting and moving from place to place. There were barbarian settlements within the Roman frontiers, and thousands of Germanic slaves there, before there were barbarian invasions. But even the barbarians who invaded Italy and Gaul did not attempt to destroy the Roman social system or the Roman Empire which maintained it. They desired only to plunder a building which was already falling into ruins. And on the other hand, the policy of the later Roman Emperors was that called “appeasement” in modern times. For example, the Visigoths and Burgundians were granted leave to retain their conquests, in the hope that they would not take any more. The Vandals were invited into Africa by a Roman General. The Ostrogoths, under Theodoric, conquered Italy with the acquiescence and perhaps the approval of the Roman Emperor at Constantinople. It is probably true, as was supposed at the time, that the Lombards entered Italy at the request of a Roman Exarch. And after “appeasement” had allowed the establishment of barbarian kingdoms in Gaul, Spain, Africa and Italy, Justinian’s attempt in the sixth century to adopt the opposite policy proved to be quite futile. It came too late to save the Roman provinces in the West.

From the point of view of the governing class in the Roman Empire, there was no hostility to the Germanic barbarians. The Emperors and the Roman generals desired to use them. They welcomed them as soldiers, and found them useful and also decorative as slaves. The imperial Authorities, in fear of civil war, had forbidden men of senatorial rank to join the army, and were not eager to recruit the legions from the city populations, which had

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various other duties to perform in industry and transport. In consequence the majority of the Romanized city and country population in western Europe was demilitarized; and the best recruits for the armed forces were found among the barbarian tribes. Thus, in the fifth century, the word "soldier" (*miles*) was equivalent in meaning to the word "barbarian" (*barbarus*). The situation thus created may be regarded as an attempt to civilize the barbarians, by using them for the only services for which they were competent within the Roman system. But to the minds of men of the fifth century, to civilize meant to Romanize; and the barbarians themselves accepted this idea. The result was obvious. While it became more doubtful in what institution or persons moral authority was to be found, clearly armed force, and the wealth and power which it could obtain, fell more completely into the hands of the barbarians as the years went by. The barbarians were not only soldiers of the line and cavalry, but generals and even Emperors. The Emperor Justin, the uncle of the great Justinian, could neither read nor write. Here again, then, it must be repeated that the problem was not that of civilization in general, but of the Roman form of it. A similar problem in the modern world exists in Africa. Europeans desire to civilize the Africans; and the Africans desire to be civilized. But because both assume that the only form of civilization in question is the European, Europeans attempt to Europeanize the Africans. Some Europeans believe that Africans can be used only as cheap labour, exactly as Romans of the fifth century believed that Germanic barbarians could be useful only as slaves or soldiers. And, on the other hand, some Africans, in their attempt to escape from the pastoral and agricultural stages of social development into what they believe to be civilization, have contrived to become Europeanized. The result is satisfactory neither to Africans nor Europeans. As in the fifth century in western Europe, a particular type of civilization has not proved flexible enough to meet new strains and pressures. The Roman crisis has come to an end; and that in modern Africa has hardly begun. But it is still possible that modern European civilization will be more successful than the Roman in adapting itself to new experiences and alien influences.



From this point of view, the Middle Ages were centuries during which, after the failure to adjust the Roman system to the play of new forces, these forces built up a new kind of civilized life and culture in its first form.

### *The Process of Change*

The process of adaptation by which the Roman system, and the barbarism with which it was confronted, gradually produced the First Europe, was continued for about four centuries. In its earliest stages the Roman governing class was still preserving, as culture, an obsolete aloofness from the real world. They wrote and perhaps also felt and thought in artificial imitation of "classical" authors. Virgil, Ovid and Livy themselves produced a faked pastoral poetry and a faked history; but Ausonius and Sidonius Apollinaris wrote verses which were fakes of the original fakes. The plastic arts also had become mere exercises in archaism. The system of government embodied ideas derived from political situations which had not existed for at least two hundred or perhaps four hundred years. At the same time the great majority of the population—about twenty million in western Europe—slaves, craftsmen and traders, who were maintaining the system by their labour, had no share in political influence or cultural expression. An artificial and irrelevant culture and a system of manual labour without any means of making its own contribution of intelligence or emotion to meet new issues, was hardly capable of internal transformation. Quite apart from difficulties due to external pressure, there was too little free movement of thought and emotion upwards or downwards between the social classes within the Roman system. Indeed, the problem of Roman civilization in the fifth century may be stated in more general terms. "To any vital and organic society its vocations are *structural* not accessory. Slave-based societies fail because there is too little interpenetration of culture with vocation. Culture is sustained in such societies, not by the significant and contributory vocational activity of those who share the culture, but by technical contributions of a slave-class or proletariat which is largely excluded from it. Where integration is satisfactory, a culture may indeed be

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known and recognized by its vocations, as we understand the Middle Ages or the culture of a long-vanished society by examining the memorials of craftsmanship that its workers have left."<sup>1</sup> Already, then, in the fifth century the Roman system contained a division within itself, which was likely to prove fatal—the division between culture without function and function without culture.

It remains to be seen how the Christian Churches attempted to solve the difficulty. They had in their hands a new literature—a literature of power not of form; and they united members of all social classes by the use of the same ceremonies and sacraments. What was vital in the old order lay in the common ground beneath the fading flowers of culture. But after the establishment of barbarian kingdoms under Arian kings within the areas in western Europe which had hitherto been Roman, social changes came too quickly for the thought of the time. In the sixth century the control of government had passed into the hands of illiterate barbarian warriors; and they made use of members of the Roman governing classes and civil service, as officials and secretaries. Men like Cassiodorus, who served Theodoric the Ostrogoth, preserved Roman forms of government and the Latin language. But the letters of Cassiodorus and the version of his political ideas preserved in the *History of the Goths* by Jordanes, show that the ideas of the time were inadequate to promote the absorption of barbarians into civilized society. Cassiodorus himself ended his life as a monk in an Italy devastated by wandering bands of warriors. The Christian Churches had by that time undertaken the salvaging of civilization; but they too were led by men educated in the artificial culture of the past, and still dominated by the belief that the Roman Empire was eternal. Worse still, the dead hand of the past in the Old Testament hampered the growth of new forms of civilized life almost as much as did the survival of obsolete customs and ideals of government in the decaying Roman system. Hebrew kings and prophets of almost a thousand years before, in primitive Palestine, were accepted as models for Visigothic and Frankish warriors and their bishops. The result was archaism in the art of government.

<sup>1</sup> F. Clarke, *Education and Social Change*, 1940, p. 61.

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Indeed, the Churches themselves might have perished of the disease of archaism, if they had not been severed from the Roman Empire and the eastern Mediterranean.

In the later sixth century all the Arian kingdoms had disappeared. New barbarian kingdoms, under Catholic kings, were established in Gaul and Spain. Western Europe became definitely Latin and the Empire at Constantinople definitely Greek. The two parts of the Christian world could no longer communicate freely in either tongue; and Rome regained as the Capital of the Latin Churches the prestige it had lost to Constantinople as the Capital of the Roman Empire. Then, after a brief period of about fifty years, during which the troops of the Roman Emperor at Constantinople subjected to his authority the Province of Africa, eastern Spain and parts of Italy, a new assault, by Mohammedans, destroyed the Roman and Christian tradition in Egypt, Africa and Spain. By the end of the seventh century the medieval rival of Latin Christianity, Islamic civilization, controlled most of the Mediterranean basin. This was a new type of civilization, which had arisen directly out of the barbarism of the desert, in contrast with the Germanic barbarism of the forest; and in its earlier forms, it owed nothing to the Greek and Roman tradition. It compelled the Latin Churches and the kingdoms in the West to face new dangers in which neither the Roman tradition nor the Hebrew Scriptures gave any guidance.

In north-western Europe, meantime, the kings of the Franks had come into increasingly closer co-operation with the bishops of Rome; and the Roman Church had extended its influence by missionary work, first in England and later, by the preaching of English missionaries, in Germany. The fading memories of Latin literature were preserved by a new learned caste, the clergy, united by custom and status across the frontiers of kingdoms, dukedoms and other lordships. But in the whole of the now distinguishable *First Europe* all men and women were united, whatever their status or function, in local communities and, at least by sentiment, across all political divisions. Medieval civilization had come into existence. After the centuries during which the seeds germinated in darkness, the first shoots of a new life began to appear above the surface. It

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is absurd to treat the great medieval abbeys and cathedral churches as either better or worse than the palaces and temples of ancient Rome. They are entirely different in character and purpose. But they may be taken as symbols of the social transformation, which was indeed due less to the conquests of kings than to the preaching of monks and bishops. The Roman system had, in fact, been unable to survive the strain put upon it; and what remained of its tradition had become merely part of the material for a new creation. But the creation of the First Europe cannot be understood as part of any necessary or inevitable process. It was the result partly of unconscious tendencies in men's minds, arising out of new dangers and new possibilities of initiative. It was in some degree due to a confused struggle for wealth and power, the results of which cannot be made intelligible by the application of any historical law or dialectic. But it was most clearly the result of new moral and social ideals. That is to say, men and women with insight and influence envisaged and sometimes realized new ways of life for individuals and communities. These men and women established the bases of that *moral authority* which conquest, plotting and the seizure of wealth and power could not provide.

The heroes of this story were Augustine in Africa, Pope Leo I and Epiphanius, bishop of Pavia, Isidore, bishop of Seville, Eligius in Gaul, Bede and Boniface; and not Theodoric or Clovis or Charles the Great. Historians who study chiefly political institutions, overestimate the importance of warriors and kings. But it is of little or no consequence which of two ruffians kills the other or secures a victory; and even hereditary magic counts for little in times when bastards and usurpers are more energetic and intelligent than those who have received their royal status from their fathers. In any case, it is always more important in law and administration to hold power than to seize it; and power cannot be held by force of arms, but only by some form of moral authority. For that reason alone it is impossible to understand either medieval or modern Europe without a study of the Christian Churches through which moral authority was infused into the political and economic institutions of the First Europe. Indeed, the whole history of these

centuries may be read as an attempt, with many mistaken or fantastic results, but with increasing urgency, to find and establish a form of moral authority which could control or at least moderate the struggle for wealth and power.

Historians of Christianity, however, have been no less misleading than others, because they have overestimated the importance of disputes about doctrine. The most fundamental contribution to the progress of civilized life made by European Christendom, was not its cosmology nor its theory of the Deity, but its establishment of a community of feeling and experience among all men, women and children in western Europe, through sacraments, ceremonies, fasts and feasts and other religious customs. Medieval Europe was divided by a caste system in every locality and by the rivalry of independent lordships; but across these barriers *catholica fides* united the serf with his lord and the whole community in any one district with those of all others in the Latin Church, which claimed to be universal. *Catholica fides* had taken the place of that *fides Romana* which had been the moral basis of the Roman Empire; and neither was only a system of belief. The *fides Romana* was the credit or reliability inspired by the name of Rome. Men trusted the imperial system—indeed, as it turned out, they trusted it too much, because they believed that it was eternal. And when, in the four hundred years after the beginning of the fifth century, *catholica fides* was gradually taking the place of an older moral principle, it meant not only belief in doctrines but also the reliability of each person as a member of a single community, and the reliability of the Churches in the service of all their members. Thus schism and heresy were regarded not merely as disagreements about doctrine, but also as treacherous violations of the common allegiance. This was obviously important for the whole social system and not merely for ecclesiastical history. The central problem in a time of social transition, is clearly that of social cohesion—upon what principle it can be based, and what kinds of beliefs and customs are required in the majority of men and women, as a means of securing it. But the beliefs and customs required in any one place and time are obviously dependent upon the prevailing climate of opinion. The change in

the climate of opinion between the fourth and the ninth centuries is the subject-matter with which this book is concerned. But throughout those centuries the central force of social cohesion remained *catholica fides*.

*Sources of Information: the Historians*

The material upon which the discussion is based, must necessarily be the original documents in Latin and Greek, written in the four centuries from the beginning of the fifth to the middle or end of the ninth. An immense amount, however, of historical study has been devoted to this period since the eighteenth century; and, therefore, something may be said first about the attitude adopted here to recent historians. It is well known that Gibbon and other writers of his time accepted the assumptions and standards of the late Renaissance. They thought of the centuries after the fourth as years of decay in civilization and growth in barbarism. They admired and preferred an era of benevolent despotism, supported by a small cultured class, in which they were themselves the leading examples of culture, controlling an almost unnoticed mass of illiterate and superstitious peasants and craftsmen. This was the kind of civilization which they studied in the history of the Roman Empire, the disappearance of which they regretted. It was therefore difficult for them to understand or appreciate the civilization of medieval Europe.

After them, in the nineteenth century, historians were divided into two opposing schools. One school, mainly French, tried to show that whatever was valuable in the civilization of the Middle Ages was derived from the Roman or rather Gallo-Roman tradition. These writers suffered from a survival of Renaissance archaism, which still dominates the French conception of "culture générale." On the other hand, another school, mainly German and English, tried to show that a pure and vigorous "race" from Germany originated the civilization of the First Europe. These historians suffered disastrously from the mythology of the "noble savage" and from the futilities of the Gothic Revival and the Romantic Movement. But the contrast between these two schools has been

admirably described elsewhere; and the controversy is now of no interest.<sup>1</sup> It is far more important for the present purpose to recognize that no historian, ancient or modern, is an unprejudiced chronicler of colourless facts. All history is a statement of policy. All historians are affected by the climate of opinion of their own time and place. At best, they assume that the prejudices of their day are the only tests of goodness and truth. At worst, they reflect the ignorance concerning the lives of the majority in their own times, from which an academic circle always suffers.

Unfortunately most of those who write history pay no attention to metaphysics or philosophy; and are therefore unaware of the assumptions which underlie their approach to the problem and the results at which they arrive. The lack of training in metaphysics or even in the logic of evidence has peculiar results, especially on the moral judgements expressed or implied by historians. In some cases the historian takes sides in "battles long ago" and assumes that the distinction between his side and the other is the same as the distinction between good and evil.<sup>2</sup> It must be confessed that the situation is still worse when metaphysicians try to write history, as in the case of Hegel and Karl Marx; for they tend "to identify the limitations of their own intelligence with the necessary bounds of human reason."<sup>3</sup> That, however, is no excuse for the historians. None of those who have written on the period and problems with which this book is concerned can be safely read without plentiful doses of doubt.

No one can understand history if he reads only the historians. He must go directly to the sources—letters, poems, sermons and treatises—because these are the unconscious records of a climate of opinion; and the description of that climate by later historians is always affected by the time and place in which the historian is writing. Any historian is a dangerous guide. The better he is, the

<sup>1</sup> The best analysis of the contributions of scholars of the two schools is in the introduction to Vinogradoff's *Villainage in England*. There is also a short account of the controversy in Dopsch, *Social and Economic Foundations of European Civilization*.

<sup>2</sup> Thus Freeman in his *Norman Conquest* informs his readers that "we" were beaten at the battle of Hastings! But "in a few generations we led captive our conquerors" (*Norman Conquest*, Introd., p. 2). Not bad for an Anglo-Saxon freeman or "ceorl"!

<sup>3</sup> F. H. Bradley.

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harder it is to observe what he has omitted; and even a great historian, writing of his own time, as Tacitus or Thucydides did, makes a selection of those facts and judgements which happen to attract his attention. The historian who studies earlier ages is no less limited, as in the case of Gibbon. The Roman Empire collapsed because of its own weight: the foundations could not bear the superstructure. But Gibbon underestimated the importance of the foundations. He admired the temples, palaces and baths; and listened far off with exultation to the tramp of legions. But he paid little attention to slavery, militarism, centralization, depopulation and the ignorance of Emperors, which eventually destroyed the system. Still later ages have produced attempts at a "science" of history, which explains the succession of events as due to inevitable causes, either in a "dialectic" or in some form of inductive logic. Clearly, every stage in the history of civilization may possibly be pre-determined by that which preceded it. But the evidence available for each stage in the process is limited and defective. Therefore no historian can feel certain that the available evidence provides enough knowledge of the forces which have been most important. The limits of historical knowledge are set, not by the nature of the mind, but by the accident of survival among documents and other records of the past. Defects in the evidence may be supplied by imaginative genius; but nothing can justify the followers of Hegel or of Marx in supposing that their masters discovered in the early nineteenth century, with sublime disregard for the original evidence, the final truth about historical development. It cannot be assumed that the evidence available about the past in any age is enough to provide certainty with regard to the future. It cannot be assumed that the way of thinking adopted by any age or any group of the enlightened, even in the nineteenth century, is the only correct way of thinking of the past or of the future in all ages.

On the other hand, the logic of induction should produce a certain hesitation with regard to general statements about historical processes, which are based on the perception of some similarities or analogies between social situations in different times and places. Each stage of the development from barbarism to civilized life, in



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each distinguishable tradition, is a complete "pattern of culture." Therefore it is dangerous to select from one social situation and to isolate from it any part of the pattern, for comparison with what appears to be a similar part in another "pattern."<sup>1</sup> For example, it is dangerous to compare the militarism of the late Roman Empire with the militarism of Prussia, without due regard to the fact that each is a part of a whole pattern of culture. It is dangerous to isolate marriage customs in one pattern of culture and to compare them, so isolated, with marriage customs in other times and places.

In any case, the evidence for the changes in the climate of opinion from the fifth to the ninth centuries is still largely the same as it was for the historians who wrote in the nineteenth century. But the documents which were available then, as they are now, must be read in the light of social crises and social forces of to-day, which were altogether beyond the experience and even the imagination of the last century. The sublime aloofness of the eighteenth-century scholars and the self-confidence of the nineteenth century can no longer be accepted by the historian. In the "Dark Ages" of to-day, the problem is not merely one of contending powers or of scrambles for power. The most fundamental problem is that of the source and function of moral authority. And any writer on social institutions who does not understand the distinction between social power and moral authority is likely to misrepresent the history of civilization. The study of certain forms of social power may involve only attention to facts—such facts as a blow on the head, or the cutting of throats. But the influence of a saintly or learned person cannot be understood without attention to what philosophers call "value." Beauty and goodness and truth may be illusions. Whether they are or not is a problem of metaphysics, with which the historian is not directly concerned. But it is quite certain that, without concentrating attention upon such "values," whether illusions or not, no history of civilization can be made intelligible.

### *Sources of Information: the Documents*

A short review of the chief sources of information about the

<sup>1</sup> This has been admirably stated in Ruth Benedict's *Patterns of Culture*.

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social institutions of the early Middle Ages will indicate the character of the evidence available. This book is not concerned with the detailed description of these social institutions, but with the climate of opinion in which they arose, and to which they gave a new character. Clearly, no social institutions are intelligible without some understanding of the cosmology and moral teaching of their day. But in this volume the larger problem of what may be called the philosophical climate, is not discussed. It will be necessary, nevertheless, to call attention, at certain points in the argument, to the prevailing belief in magic, to the efforts at finding explanations of good or bad fortune in the intervention of some Divine Person, and to the general belief that a store of truth existed in certain documents—the Bible and the Fathers—which had only to be drawn upon, and could not be added to by any further discovery. This clearly explains the tendency to look to the past, which is so obvious in the establishment of the new political, ecclesiastical and economic institutions of the First Europe. Similarly, without some understanding of the place of magic in primitive minds of all centuries, even the present, it is impossible to understand one important source of the influence of bishops or kings in the early Middle Ages. Also the majority in those times believed that good men and women lived after death above the sky, and bad ones below the earth. This was no metaphor, but quite literally their statement of “the Truth.” But here the argument must be confined more strictly to the atmosphere immediately surrounding the old and the new social institutions.

The evidence is contained in chronicles, histories, poems, letters, laws and treatises. Of the chronicles some, like that of Prosper and those of the monastic writers of the eighth and ninth centuries, are bald records of events in chronological order. But even in these bald statements the selection of the events to be recorded indicates the climate of opinion familiar to the writers. The barest annals, for example, of the eighth and ninth centuries have a political purpose—generally “propaganda” for a king or for the clergy in a wicked world. It is suggestive also that they report the doings of kings, the appearance of comets, eclipses, floods, and in particular

where the kings kept the feasts of Easter and Christmas. Of all the chronicles of this period, which fall short of history in the true sense, the most important is the so-called *Book of the Bishops* (*Liber Pontificalis*). In its earliest form this is a collection of traditions regarding the bishops of Rome, which were accepted by the Roman clergy in the fifth century. The list of bishops, from St. Peter onwards, and some of the details given about the building and decoration of churches, may have been based upon earlier records. But in any case the book is a political document. It is an argument maintaining the apostolic origin and unbroken tradition of the Church of the city of Rome. The later additions and versions of the book are quite obviously not colourless records of events, but statements of policy, leading directly to the establishment of the "temporal power" of the Papacy. This does not imply that the record of events is falsified; it means only that the authors had a keen eye for what was likely to be of advantage to the Roman clergy.

Of histories the most important in the early period, during the collapse of the Roman Empire, are those of Zosimus, Orosius, and some ecclesiastical historians. Each of the authors has a distinguishable political and ecclesiastical prejudice for which allowance must be duly made. The somewhat fantastic *History of the Goths* by Jordanes is clearly a political pamphlet in favour of assimilation between Romans and barbarians. After him, in the middle of the sixth century, comes Procopius—a great historian, with a definite and limited purpose of explaining the wars of Justinian, the futility of which can be well understood by anyone who can read between the lines of an official report. At the end of the sixth century there is the *History of the Franks* by Gregory of Tours—a confused account by a simple and honest man who seems to have hoped rather vaguely that there was some significance in the murderous brawls of kings and the ineffectual efforts of saints which he recorded. At the end of the period, in the early eighth century in northern England, there was a truly great historian—Bede. His *History of the English Church* contains much evidence of the prevailing belief in magic and visions, which was shared by the author. But it is a noble story,

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well told, with a deep appreciation of the fact that the problem of maintaining civilized life had not been solved.

The poems which have some bearing upon social institutions are those of Prudentius, in the early fifth century, of Venantius Fortunatus, in the late sixth century, and of Theodulf and his contemporaries, in the early ninth century. For the purpose of this book the interest in such poems is not literary. They are taken as indications of the climate of opinion, immediately affecting the establishment of the Christian Churches and of the new barbarian kingdoms. Both Prudentius and Venantius Fortunatus wrote beautiful popular hymns. But the latter and his successors in the ninth century also wrote incredibly bad verses, mostly about nothing at all, containing broken fragments of Virgil and Ovid. Even this, however, indicates the domination of the second-rate Latin literature which survived into the Middle Ages. If the much greater literature of ancient Greece had been available, even in translation, in the early Middle Ages, the history of the First Europe would have been very different. Medieval religion and morality would have been more robust, if Homer, and not Virgil, had guided Dante through hell.

The letters upon which the historian must depend are of three kinds—private correspondence, official despatches and ecclesiastical communications. Of the private letters the most useful are those of Sidonius Apollinaris in the fifth century and of Alcuin at the end of the eighth. Official despatches are such as the pompous platitudes of the *Variae* of Cassiodorus, in the sixth century, and some few letters of emperors and kings, usually contained in collections of Papal letters. Ecclesiastical communications are of two kinds. There are great numbers of letters of the Popes, of which the most important are those of Pope Leo I; the extraordinarily full and interesting collection of the letters of Gregory the Great; and the collection of Papal letters to the Frankish kings, known as the *Codex Carolinus*. Such documents must obviously be used with caution. They contain statements of “theory” relating to political and ecclesiastic authority, made at different dates and in entirely different circumstances. But the “theory” advocated is usually a mere excuse or cover for a particular policy. All the Papal letters, including those which deal

with theological doctrine, were written in reference to a definite policy of the writer and definite political or ecclesiastical problems of the day. It may be possible to trace some continuity of belief or mental attitude between Leo I in the fifth century and Leo III in the ninth. But it is quite misleading to construct a single and consistent doctrine or policy out of phrases in the letters of different Popes who were in fact concerned, in these letters, with quite different practical problems. For example, the first barbarian invasions, the Lombard conquest of Italy and the substitution of the king of the Franks for the Emperor at Constantinople as Protector of the Roman Church, caused drastic changes in the policy of kings and bishops and therefore in the theory of the State and the Church.

Besides Papal letters, the most important material is to be found in the letters of St. Augustine and St. Jerome at the beginning of the fifth century, and those of St. Boniface at the beginning of the eighth. These letters contain the prejudices, as well as the noble aspirations, of vigorous minds at work in maintaining or extending the basic civilization of the First Europe. The Englishman, Boniface, wrote with a directness and clarity which does much to explain his skill in converting the German barbarians east of the Rhine from the worship of the gods of war to the service of Christ; and together with the letters of Alcuin, another Englishman, they serve to elucidate the distinction between the traditions of Christendom in England and France on the one hand, and those of Germany on the other, which existed throughout the Middle Ages and perhaps even later. The Christianity of Gaul and of England was established in defiance of "the Powers that be"; but the Christianity of Germany, in spite of the influence of Boniface and Alcuin, was established by armed force.

The texts of laws include, first, the great Theodosian law-books (*Codex Theodosianus*) of A.D. 438 and the so-called barbarian laws, most of which were written down in Latin in the seventh and eighth centuries. The most important of these latter are the laws of the Visigoths, some fragments of which belong to the sixth century, the laws of the Franks and Burgundians, and those of the

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Lombards, which belong to the eighth century. These are the sources in which may be traced the beginnings of the medieval system of castes or social classes. In addition there are the Capitularies of Frankish kings and a few laws of English kings, which may be taken as evidence of the character of civil authority and its functions in the early Middle Ages. On the other hand the Canons of the Churches in the different provinces or kingdoms indicate the manner in which the medieval clergy was formed. The Canons of Carthage, of Toledo, of Arles and other synods in Gaul mark the first stage in the consolidation of Christendom; and the second stage, centralization under the bishops of Rome, is marked by the Latin version of Canons of universal application, first made available for the Roman Church by Dionysius the Little in the sixth century. This collection, with later additions, handed by Hadrian I to Charles the Great in A.D. 787, was the basis of the ecclesiastical law of Christendom in later times.

The documents for which the general term "treatise" is here used include both statements of political theory and practice and ecclesiastical works on the life of the Church and its members. The use of such treatises for the purpose of this book must obviously be quite different from the use made of letters and laws which deal with particular issues and immediate practical problems. The element of idealization in these treatises is stronger because the writers are as much concerned with what ought to be as with what is. The climate of opinion may be the same in all the documents of any one period or place; but clearly the creative imagination is more strongly at work in treatises which attempt to explain in general terms and in reference to fundamental causes the situation of the writer and his circle.

The most important of all the treatises is that on *The City of God* by St. Augustine. The first part of this treatise is an attempt to explain the position of the Christian Empire and the Christian Churches in the early years of the fifth century. The author assumed the existence of a supreme Roman Empire, and perhaps retained that assumption even on his deathbed in A.D. 430 when the Vandals were besieging the city in which he lay. He died only forty-six

years before the Roman Empire disappeared from western Europe and Africa. But what he had assumed as a reality survived as a vision and helped to confuse the minds of medieval scholars and perhaps also some writers of later date, who are not skilled in distinguishing what really exists from what they would like to exist. But the importance of St. Augustine's treatise for the historian who is concerned with social institutions lies, not in his arguments, but in the emotional force with which he expressed them.

Other less important treatises are those of Ennodius—the *Panegyric* addressed to Theodoric the Ostrogoth in the sixth century; of Julian, bishop of Toledo—a violent pamphlet against the Franks; of commentators on the *Books of Kings*, which served as guidance in the establishment of the First European Kingdoms; and, in the ninth century, of Hincmar and Smaragdus. On the authority and functions of local rulers, theoretically subordinate, the letters of Fulgentius Ferrandus to Count Reginus in the sixth century, and of Paulinus of Aquileia to Count Henry of Friuli at the end of the eighth century, are indications of the service expected from military rulers in the Middle Ages. They were taught by the best of the clergy that their power should be used for the advantage of the poorest and weakest. These were the terms in which the moral authority of those in power was then expressed.

Ecclesiastical treatises include, first, the two works of Cassian on the life and teaching of the eastern Monks, which have had an immense effect on western monasticism. The *Rule* of St. Benedict must be taken, from this point of view, as a treatise on monasticism as an institution, which has had an influence on the history of civilization far greater than the collection of old laws made by his contemporary, the Emperor Justinian. At a slightly later date, at the end of the sixth century, the most important treatises are the *Pastoral Rule*, on the duties of bishops, and the *Morals*, or Commentary on the Book of Job, both by Gregory the Great. In the same period were written the *Lives of the Fathers* by Gregory of Tours and after them a series of other lives of saints written during the seventh, eighth and early ninth centuries. Of these perhaps the most important for the study of social institutions are those of St.

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Eligius by St. Audeonus (Ouen) and the life of St. Remi by Hincmar.

### *General Characteristics*

Some general characteristics of all these documents should be noted. In the first place almost all the writers were unable to distinguish between personal virtue and social justice. In other words, although the foundation of the First Europe involved the creation of new institutions, there was no general understanding that social institutions can, and if unjust should, be abolished, modified or consciously adapted to changing circumstances. Thus most of the writers of the period, who were all ecclesiastics, were concerned chiefly with telling their contemporaries to be virtuous or good men and women. To the slave-owner and the slave, to the king, the lord or the serf, they said that each ought to be a "good" slave-owner, slave, king, lord or serf. The moral assumption was that, if each fulfilled the duties of his station, justice would prevail. But these writers apparently did not understand that a man's "station" itself might involve injustice. It is clearly not "justice" that a slave-owner should be kind, if slavery itself is unjust; and although many writers of the period did perceive, as the Stoics had before them, that slavery was unjust, they certainly made no effort to abolish it. The prevailing belief that whatever existed and whatever happened was the will of God, prevented them from distinguishing between the good intentions of a virtuous man and right action in a just society. Like the modern advocates of "goodwill," as a means of removing social injustice, they failed to see that the fundamental problem was that of institutions. Any institution—a church or a state or a goose-club—is a series of acts relating certain persons, which follow a certain curve or pattern. That is to say, an institution exists in its "rules"; but keeping the rules may be useless, or even pernicious, if the rules themselves are futile or obsolete. A slave-owner who is kind to his slaves may be virtuous, if good intentions are the tests of virtue; but his acts are morally wrong, if nobody ought to own slaves. Again, all these writers suffer from archaism—the belief that the past contains the standards of moral and political



conduct. The very fact that they all wrote in Latin tied them to the dead. They loitered about the tombs of a dead civilization and sometimes saw ghosts. But Latin as a language was itself dying during the four centuries before the ninth, although it retained an enfeebled vitality, as the dialect of a learned caste, for almost a thousand years after. Nevertheless this Latin was the instrument for the preservation of the civilized tradition and of the unity of the First Europe. The common use of Latin separated the Churches of the West from those of the East and western Christendom from Islam. Latin used in ritual and learning prevented the separation of the Germanic, Celtic and Slavonic peoples from the peoples of the South, whose languages grew out of Latin. And although Latin thus became only the language of a caste, the Latin Bible and other Latin documents were not deliberately kept from the people. The so-called "closed Bible" of the Middle Ages was due to the accident that the learned class never imagined that the common people could have time or ability to read and write in any form of civilization. Reading and writing were assumed to be the technique of a caste, just as ploughing was the technique of a ploughman.

The other form of archaism to be observed in all the writers of this period is the continual reference back to the past for guidance in moral conduct and public policy. At the end of the fourth century the principle of "ancient authority" was firmly established. And as civil disorder spread, the intelligence was more and more confined to commentary upon ancient texts, whether sacred or secular. In psychological terms, the *mnémé* or recording habit was more powerful than the *hormé* or impulse to original thought and action. The reference back to past experience was easier in a time of disorder than the effort required for new experiment or imaginative adventure. The climate of opinion thus formed was favourable to unadventurous persons, because these run for shelter to an established order if changes threaten. Therefore even the best minds of the Middle Ages were more concerned with the effort to realize an ancient ideal of conduct or policy than with the discovery of new and better ideals. On the other hand—here is a paradox—the very ages which could think of nothing better than copying the

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past, themselves broke with the past. The very writers who admired the Hebrew kings and the Roman Empire helped to create what had never hitherto existed—western Monasticism, the Latin Catholic Church and European kingships and lordships. The reason is that they knew much less about the past than they supposed. They had no conception of historical development, which would have indicated to them that the customs and beliefs of Hebrew tribes were primitive. Nor did they know that the Roman Empire was in its origin a temporary device of party politics and, in its later years, an ephemeral form of military dictatorship. Therefore, although they modelled their institutions upon those of the Hebrews and the Romans, they knew so little about either, that the copy was very different from the original. It should be recognized also that every writer in every age sees the facts and feels the “values” of his time in the light of imagination. There are no bare facts or final values to be discovered in history. Every event recorded or judgment made by the writers upon whom the historian depends is part of a greater whole, most of which is constructed by the creative imagination. That is to say, each fact and value is perceived in a particular setting. Nobody can see the whole of the world he inhabits or even the whole of his own life. The climate of opinion, therefore, affecting all the writers, to which reference is here made, must be conceived to be, at least in part, a poetic expression of their hopes and wishes.

### *The Uses of History*

Before discussing in greater detail the formation of the First Europe, it may be well to note the relation between the problems of the present and those of the four centuries after the dissolution of the Roman Empire in the West. History has two uses. It is, on the one hand, a voyage backwards in time—an escape from the present. On the other hand, it is an appreciation of problems which are similar in the present and the past. It is an illusion, due to bad logic and worse metaphysics, to suppose that history can be useful only if it provides “scientific” generalizations based upon similarities between one age and another. The escape from the narrow limits

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of the time and place in which the historian writes into entirely different regions of thought and emotion is itself a necessary training for an educated man. Without that training no man can see the life of his own time in its true perspective. Without it he cannot protect himself against the illusion that the future is determined by the accidents of the present day and the passions of the living, because he cannot hear the greater voice of the multitudes who are dead and because he knows nothing of the debt he owes to their sufferings and their struggles.

History, as an escape from the present, like travel abroad, may indicate the position of contemporary village-politics in the larger world of space and time. From one point of view history dwarfs the present; but from another point of view, history indicates the true greatness of the present in the drama of human achievements, most of which lie in the future, beyond the horizon of to-day's experience.

On the other hand, there are many analogies between the social transition which occurred in western Europe after the dissolution of the Roman system and the transition which has been occurring in almost all parts of the world since the end of the nineteenth century. The differences between these two periods of transition are even greater than the likeness between them; and it is, therefore, not logical to conclude that, because Roman civilization gave place to medieval, modern civilization must necessarily follow a similar course. It is enough to note that under modern conditions, as compared with the situation in western Europe from the fourth to the ninth century, a far greater number of men and women are trained in scientific knowledge and scientific methods; that the applications of the sciences in medicine, engineering and other production, are far more extensive; that the same type of civilization is maintained in a far greater number of centres over the whole surface of the earth; and that communication between these centres is more rapid and intimate than it was between Rome and Constantinople in the fifth century. If modern powers of destruction are greater, so also is modern ability to reconstruct not merely material objects but social institutions.

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In spite of great differences between the two periods, however, the similarities are striking. There is now, as there was then, an obvious contrast between a traditional civilization with inherited defects and a barbarism which is acceptable to the simple-minded or the brutal. In the two periods there is the same "nomadism" of the intellectuals among the civilized and the same simple trust in armed force among the barbarians. There is the same "failure of nerve" among the civilized, when they see that the traditional system has not abolished poverty or war; and the same simple belief among the "have nots"—the barbarians—that they can appropriate the results of civilization or the applications of science without adopting the process which has made them possible. This is a fundamental problem in the history of civilized life. Those who do not play a part in the establishment and maintenance of a particular type of civilization—who therefore look at it from the outside—see only its final results and cannot understand the nature of the methods by which alone those results have been attained. They imagine that the wealth and power incidental to civilized society can be merely transferred to themselves by conquest or revolution. Therefore they mistake the achievements of the past for the final expressions of truth, goodness and beauty—valid for all time. They repudiate or oppose free experiment and free criticism; and the representatives of the dead become an infallible authority for the living.

At the birth of the First Europe, new experience was entering into the Roman tradition. The poorer classes and the Germanic barbarians had been affected by Christianity. These people had something new to contribute. New ways of life and new moral standards were being introduced into the social system. The problem was whether the new wine could be preserved in the old bottles. Could the new forces, the new hopes and desires of men, find a place in the tradition of civilized life, without destroying the political, economic and cultural structure? The strain upon the Roman system was very great; and it came *from within*. Similarly, to-day the most important problem of social transition is caused by the entry into an old civilization of new powers, new hopes and

new moral standards. To-day also the intellectuals are nomads, moving in small cliques from one encampment to another; and the "Powers that be" have lost their nerve. Attempts were made during all the four centuries of the Roman Empire to hold the system together. But most of these attempts were applications of force in support of a failing moral authority. The most urgent problem, therefore, hardly understood at the time, was the problem of the relation between wealth and power on the one hand, and moral authority on the other. While the wealth and power of the Roman Empire increased, its moral authority over its subjects and its agents gradually declined. There was a time when it seemed possible to provide a new form of moral authority for those who already possessed wealth and power. If that attempt had succeeded, slavery would have continued in Europe and Christianity would have disappeared. But in fact—and not by any necessity—the Christian tradition, which had in its earliest centuries neither wealth nor power behind it, proved to contain within itself a source of moral authority which could control—at a price—the uses of wealth and power. The Christian Churches survived the Roman Empire; and they transferred to barbarian kingdoms the moral authority which the possession of armed force could never have secured. But if it seemed at times that "the meek possessed the earth," in the process of establishing their influence they had lost their meekness. The same problem, whether and at what cost moral authority can control wealth and power, was left for future ages to solve in new terms. The problem is not—Who shall have power? but—How shall power be used? The purpose for which power is used, and at least some partial achievement of that purpose—these alone give moral authority to those who hold power.

But the existence of moral authority and its influence in history imply certain philosophical assumptions. These are briefly as follows. All men have certain tendencies or impulses which are stimulated when they become aware of something beautiful, something good in human conduct and character or something true in statements or judgements. Certain men and women, either as individuals or as agents of social institutions, have the ability to

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excite in others these tendencies or impulses so that their influence is accepted—all the more readily if they have neither wealth nor power of their own. Against such men and women the holders of wealth and power contend in vain. These men and women have moral authority.

The fundamental problem, therefore, with which this book is concerned is that of moral authority. This problem is most difficult to solve in times of transition, when an old political, economic and religious system loses its hold upon the imaginations of men, so that an increasing number are unwilling or unable to make an effort strong enough to maintain it. The process of transition is the discovery of a new social system which a sufficient number are willing to establish and maintain. But in the transition, so far at least as the history of the First Europe provides evidence, there is no clearly conceived and generally accepted alternative to the old order. Men tend to look back into the past, in the belief that they will there find the models for the architecture of the future. That is why the ghost of the Roman Empire haunted medieval Europe; and that is why the so-called "Renaissance" was, in so large a measure, a mere continuance of medievalism. There was a birth—a new spirit in thought and emotion; but as a "re-birth," the second Europe was half dead, of archaism, from its earliest years.

Medieval Europe is now dead and buried. Its ghost may yet haunt certain corners of the modern world. But it is assumed in this book that the First Europe, whose roots are to be studied here, has already flourished and died. Whatever lessons its history may contain for later ages, this one lesson at least is clear, that we can neither revive it nor reproduce it. Indeed the First Europe itself suffered from archaism. It established "infallible" authorities in Church and State and obstructed free criticism, because it believed blindly in what it had inherited from the past. It would be the merest folly, therefore, in a new social transition, even more fundamental and widespread than that of the early Middle Ages, to rely upon the past for the sources of moral authority which are required for the establishment of a new civilization in a third Europe.

This book, however, deals only with the beginning of medieval-

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ism. It is a study of the transition from one type of civilization to another, during which new social institutions were established in western Europe. But all social institutions are only relations between living men formed by their actions, their thoughts, their fears and hopes. About twelve or fourteen generations, between A.D. 400 and A.D. 800, worked at the foundations of the First Europe. Of these men and women the great majority could neither read nor write; but a few of them have left records of what they and others thought and felt. Before the play began, which is traditionally called the Middle Ages, the characters in the prologue move in a sort of mist, and many of them, therefore, attain a giant stature which was not in fact their own. But romance is not misleading unless it is mistaken for history. Romance is the record of fear and hope.

Two episodes have been taken as indications of the beginning and the end of the transition—the sack of Rome by Alaric in A.D. 410, and the proclamation of Charles the Great as “Emperor of the Romans” at St. Peter’s in the Vatican in A.D. 800. Each of these episodes was enlarged in importance by the imagination. Alaric stole from Rome what was of no importance; but to men of the time his raid seemed to be a sign of the approaching end of all things. The laments for Rome were like the last sighs of a dying world. Four hundred years later, the shout that greeted Charles the Great as the Emperor of the Romans, was the infant’s cry at the birth of the First Europe.

## CHAPTER II

### DISSOLUTION OF A SOCIAL SYSTEM

When Alaric and his Goths sacked Rome in the late summer of A.D. 410, they were helped to find loot by thousands of their own race who had been slaves in Roman households. This is the most significant episode in what was merely a raid by a band of thieves. Two years before, when the Goths had first blockaded Rome, "almost all the slaves that were in Rome left the city day by day and joined the barbarians to the number of forty thousand." These are the words of the contemporary historian, Zosimus.<sup>1</sup> The Goths had then been bought off with gold and silver, hastily accumulated, and by the release, at their demand, of other slaves still held in the city.

Barbarian warriors, looking for portable treasure, made common cause with barbarian slaves who knew where it was to be found. But no revolution was involved. The Goths desired nothing but loot; and although some houses, especially that of Sallust, near the gate at which the Goths were first admitted by their friends within the city, were injured by fire, there was no wanton destruction or slaughter. The raiders stayed in Rome only three days. They took the gold and jewels of the rich, slew some who resisted their robbery, filled their waggons and burdened their horses with booty, and went off.

The slaves who assisted them were not opposed to slavery, but only to being slaves themselves; and they readily helped the raiders to enslave their former masters and mistresses. The number of free Roman citizens carried off for ransom or sale as slaves during the raids by the Goths is indicated by an edict issued at Ravenna on

<sup>1</sup> Zosimus, *Hist.*, v, 42.



December 10th, 408. This says that barbarian savagery has reduced to slavery people of either sex and all ranks and ages. These are to be restored to freedom and to be allowed such food and clothing as charity can supply. But if the barbarians have sold them, the buyers should not be faced by complete loss of the money paid. Therefore, these slaves are either to make a payment for their liberty or to serve their new masters for five years. In order that the decree should be carried out, Christian priests of the local Churches and members of the local councils must approach the imperial officials in the matter.<sup>1</sup> That the captives of the Goths were of all ranks is most strikingly shown by the fact that one of those carried off from Rome in the raid of A.D. 410 was Galla Placidia, the half-sister of the reigning Emperor Honorius.

The confusion of the time produced a flood of refugees—the rich fleeing to Africa or the East; and scholars and clergy scattered in all directions. Thus Rufinus, the historian, took refuge at Messina in Sicily and watched the burning of Reggio across the Straits. “What place,” he asks, “is there for the writer when all fear the weapons of the enemy, when under our eyes the cities and the fields are devastated, and some seek refuge even in the dangers of the sea, and not even exile is without its terrors? For under my own eyes, as I looked across the narrow straits dividing Sicily from Italy, which held off the barbarians, Reggio went up in flames.”<sup>2</sup> The poorer manual workers in Rome who, together with the slaves, were by far the greater part of the population, are not mentioned by the historians; but evidently there was little resistance to the looting of the great houses and the public buildings. Alaric and his leading warriors, however, were Christians and showed respect particularly for the shrine of St. Peter and for those who had sought refuge there. They also left untouched the valuable ornaments and sacred vessels of the churches.

### *Earlier Raids*

The situation is more clearly understood as a continuation of the

<sup>1</sup> *Cod. Theod. Constit. Sirmondianae*, No. 14.

<sup>2</sup> The account of the scene is in the Prologue to the translation of Origen's *Homilies on the Book of Numbers* (Origen, *Werke. Gr. Chr. Schr.*, Bd. 7, p. 1, 1921).

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raids for loot during preceding years. After looting Greece, Alaric and his Goths had descended upon Italy and had been twice completely defeated, in A.D. 403 and A.D. 404, by the troops of the Emperor Honorius under Stilicho, a Roman general of Vandal descent who acted as chief minister. The first defeat occurred during the Easter festival of A.D. 403, when the troops of the Christian and Catholic Emperor took advantage of the fact that Alaric and his Goths, as good Christians, were commemorating the Resurrection. After the second defeat the poet, Claudian, wrote that Rome was finally saved:<sup>1</sup> and an inscription on an arch in Rome, in honour of Honorius, records "the extinction of the Gothic nation for all ages."<sup>2</sup> But Stilicho's troops were themselves almost entirely barbarians; and the Roman Authorities, evidently fearing the danger from those who sympathized with barbarian raiders, had the wives and children of Gothic mercenaries, living within the Roman cities, killed. This was regarded by the barbarians as an impious violation of faith by the Romans; and thousands of them, therefore, joined the forces of Alaric.<sup>3</sup> Meantime another and more terrifying body of Goths and other barbarians invaded Italy in A.D. 405. The alarm of the Roman Authorities and their appeal to their slaves are expressed in an Edict of April 17th, 406, issued from Ravenna, in the following words: "Against enemy invasion, not rank only, but efficiency must be considered; and although we believe that free men are moved by love of the fatherland, we appeal to slaves also, granting them, if they will serve in war, liberty and payment."<sup>4</sup> Under a pagan leader, Rhadagast (Radagaisus), whose warriors are said to have hated Christianity as much as they despised the Empire, an immense horde of barbarians from the North descended upon Italy and attempted to attack Florence. But they were surrounded by Stilicho's army on the hill of Fiesole and starved into submission. The contemporary Christian historian Orosius, rejoicing, as St. Augustine did, at the defeat of the pagans, wrote that so many thousands of these Goths were then taken as slaves "that they were sold at the price of the cheapest cattle" and were so weak that they

<sup>1</sup> Claudian, *de Consulatu Stilichonis*, ii, 130 sq.

<sup>2</sup> Zosimus, *Hist.*, v, 35.

<sup>3</sup> C.I.L., vi, 1196.

<sup>4</sup> *Cod. Theod.*, vii, 13, 16.

did not survive. The buyers, having saved on the purchase price, had the expense of burying them.<sup>1</sup>

Then followed the raids of the barbarians across the Rhine into Gaul. The Vandals, Suevi, Alans and Goths entered Gaul in A.D. 406 and Spain in A.D. 409. At about this time also Roman legions were withdrawn from Britain; and the south-east coast, which had been defended for many years by Roman troops and fleets under the Count of the Saxon Shore, lay open to invaders from Germany.

The next event of importance was the murder of Stilicho in A.D. 408, as the result of a palace plot. But already the policy of appeasement was in the air. The Emperor sought refuge behind the marshes at Ravenna; and even before that it had been proposed, in the Senate at Rome, that the barbarian invaders should be paid a sufficient sum to keep at least Italy safe, if the leader of the barbarians had no further territorial ambitions and would promise peace. One senator, Lampadius, is said to have opposed appeasement with the words—"This is not peace, but a pact of enslavement";<sup>2</sup> but he had to take refuge in a church from the anger of the supporters of appeasement. And when Alaric appeared before Rome in A.D. 408 he had received large reinforcements led by his wife's brother, Adolf, who was later his successor as king of the Goths.<sup>3</sup> Appeasement was adopted by the Senate and the Goths retired to raid other parts of Italy; but they returned in A.D. 410 and, as described above, sacked Rome.

### *The Social Situation*

This "devastation of the city," as St. Augustine called it, was by no means a sign of the collapse of the Roman Empire. Indeed, for forty years after Alaric's death, the city was left undisturbed by barbarians. But the raid for loot by the combined action of nomad thieves and slaves of the same race was an important sign of the dissolution of an ancient society of rich slave-owners and multitudes

<sup>1</sup> Orosius, *Hist.*, vii, 37. See also Augustine, *De Civ. Dei.*, v, 23.

<sup>2</sup> "Non est ista pax, sed pactio servitutis." The whole story is in Zosimus, *Hist.*, v, 29.

<sup>3</sup> Adolf is given a Romanized name "Adolfus" by Gibbon and "Ataulfus" by other historians. The name is "Atta-ulfus" meaning "father wolf."

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of slaves and workers who had no interest at all in the maintenance of the social system. All the great cities of the Roman Empire in the early fifth century included among their inhabitants a large majority of men and women of different races who were without roots in society, and for whom the small group of rich men who hired a foreign soldiery to defend their power, provided nothing but a bare subsistence and occasional entertainments. Chariot races and distributions of food for the greater part of the population were enough to keep the majority quiet, while the struggle for wealth and power went on above their heads.

For many centuries, before the beginning of the fifth, continual civil wars between those who were rich enough or reckless enough to aim at supreme power, had interfered with the system of production and trade which made the existence of the great cities possible. The corn-lands of Africa had displaced the fields of Italy and Gaul in the supply of necessities for the city populations; while in the Mediterranean a great trading system had developed, not unlike the so-called world-economy of the late nineteenth century, although on a smaller scale. And the social results were much the same in the fifth century as they were at the beginning of the industrial era. A small class of increasingly wealthy families enjoyed the luxuries of a civilization maintained by multitudes who had little or no share in the control of public policy or the distribution of private wealth.

In a slave society the majority are not deeply concerned about a change of masters. And the rich, as in other ages, either sought safety in flight, or came to terms with those who had military force, in order to save what they could of their property. No doubt, there were in every part of the Empire in the West some Roman commanders or civic authorities who attempted to withstand the barbarian newcomers. But most of those who had influence or military power were contending against rivals within the Roman Empire; and all were willing to use barbarian warriors against their opponents. It is certain, in any case, that there was no co-operation of the generals or the populations, within the Roman Empire, against the barbarians. And it is sufficiently clear that

there was no feeling of responsibility for maintaining the system among the inhabitants of that Empire; while the central Authority, whose position will be described in the next chapter, was unable or unwilling to defend them. The result was wide-spread pillage and slaughter in all parts of Gaul, Spain, Africa and finally Britain. One lament has come down to us which describes the destruction in Gaul; but it is a cry of helpless victims. Orientius, a poet of the early fifth century, describes the invasion of Gaul in A.D. 406 as follows:<sup>1</sup>

See how swiftly death comes upon the whole world and how many peoples the violence of war has stricken. Nothing contrives to escape the hands of the barbarians—not the depths of the woods, nor the mountain heights, nor the strong swift rivers, nor the forts in the country, nor city walls; not the trackless sea, nor the lonely desert, nor the cellars, nor caves under the sullen rocks.<sup>2</sup> The cause of death for many was treachery; for many public lies; for many the betrayal of the State. Ambush did much; open war did much. Those not overcome by violence died of hunger. The unhappy mother fell with her child and husband; the lord went to slavery with his slaves. Some lay as food for the dogs; others were killed by the flames that licked their homes. In the villages and country houses, in the fields and in the countryside, on every road—death, sorrow, slaughter, fires and lamentation. All Gaul smoked in one great funeral pyre.

This passage is part of two books of verse, exhorting the reader to turn his eyes away from life to the existence after death. The blessings of life, the joys of the senses and the beauties of the world are described; and afterwards the sins which mislead men—lust, jealousy, avarice and the passion for fame.<sup>3</sup> Greed and drunkenness are contrasted with the joys of heaven, which are described in terms of golden roofs, jewelled columns and fields of sweet-smelling flowers. The reader is then urged to consider the ruin of the present world and the near prospect of his own death; and at the end the

<sup>1</sup> Orientius, *Commonitorium*, ii, 165 sqq. C.S.E.I., vol. i (1888). Orientius is referred to, with Sedulius, by Venantius Fortunatus (*Life of St. Martin*, i, 14 17). Therefore probably he lived about A.D. 400–470.

<sup>2</sup> Cf. Lord Mottistone, House of Lords (*Times*, July 14, 1940): "As had been proved not far across the Channel, the troglodytes were doomed. The peoples who sought safety by digging deeper were doomed to extinction."

<sup>3</sup> Orientius, *Com.*, ii, 13.

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author gives his own name—Orientius—asking for the prayers of the saints, that is to say, of the holy men of the Church.

A similar tone runs through the poem on "Divine Providence" which has sometimes been attributed to Prosper of Aquitaine.<sup>1</sup> In this poem, also, there is a description of the destruction wrought in Gaul by the Vandals and the Goths.<sup>2</sup> After saying that the fields and the crops and the cattle are all destroyed, the poet asks why, if this is a punishment from God, innocent children and devout men and women should perish or be driven into exile, and why the deceitful and avaricious should derive gain from it all. The reply is then given that God wills it and that difficulties are sent to try us. The loss of wealth and happiness is of no account, and we must pray for what is to come after death. A third short poem is that by an unknown poet, of "a husband to his wife."<sup>3</sup> In this poem, too, there is a description of the reversal of fortune—"the rich man who went in his carriage through the cities, now toiling on foot through the empty countryside; and he who had had ten tall ships on the sea, now steering by himself a small boat." "All things rush to their end: peace has left the earth and our death too is near." The poet says that he does not fear exile because the world is one house for all and God has made him a citizen of another fatherland.<sup>4</sup> Therefore he urges his wife to be a faithful comrade in the service of Christ "so that one spirit should animate them both."

The sense of helplessness expressed in these poems is even more important than the evidence they contain of disaster and ruin following the barbarian invasions. But it must be remembered that such poems are only fragments of a much larger literature and that they survive largely because they suited the mood of the copyists who preserved them in the eighth and ninth centuries. These copyists were themselves monks who had despaired of the

<sup>1</sup> Printed at the end of the works of Prosper in *Pat. Lat.*, vol. 51, col. 617 sq.

<sup>2</sup> *De Prov. Div.*, line 34. "Vandaliciis gladiis sternimus et Geticis."

<sup>3</sup> *Poema conjugis ad uxorem. Pat. Lat.*, 51, col. 611.

<sup>4</sup> *Poema Conjugis*, 97.

"Non metuo exilium, mundus domus omnibus una est, . . .  
Spes igitur sola Deus: quem credere vita est,  
Qui patriae civem me dedit alterius."

world in their own day. The religious defeatism which survives in the literature of the early fifth century, therefore, must not be taken as proof that the whole western world was of the same opinion, or that nobody in those days could do anything more than devoutly wring his hands.

### *Divisions and Disorders*

The success of barbarian raids, like that of Alaric, and of invasions, like that of the Vandals, was only a superficial symptom of the operation of forces which were testing the adaptability of the Roman system. These forces caused the distrust or disagreement which divided the inhabitants of the Roman Empire; for, even if barbarians who came from outside the frontiers had not threatened its destruction, the social system of the Empire was disintegrating under the pressure of new forces within its borders. Christians and pagans were opposed, and different groups of Christians still more violently hostile one to the other. Extreme contrasts between the few rich and the many poor and enslaved began to be felt more keenly. The powerful bureaucracy of the central Government was unable or unwilling to establish security of life and property among the majority. But all these differences and the social unrest which they caused were not signs of moral decadence; they were the results of a sporadic, unorganized vitality chiefly among the social classes which derived little benefit from the Empire.

New conceptions of the life worth living, new views of deity and of the universe, were struggling to find expression within the ancient system. And in the fifth century that system might have proved to be sufficiently adaptable. The Roman world had survived the transition from Republic to Empire. It had survived innumerable civil wars, and the introduction of many new forms of worship during the four hundred years of varying success and failure after Augustus. It had survived finally a great change in the position of the Emperor—the transformation of a Roman official into an oriental despot, under Diocletian and Constantine. It might have survived, even in the West, the new crisis of the early fifth century. But it did not. The forces it could not assimilate or reconcile must

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now be reviewed in greater detail. But it must not be assumed that these forces were either objectionable or necessarily destructive. Every living form of civilization contains a surplus of thought and emotion beyond what is required for its maintenance. And whether the forces of new thought and new moral ideals transform or destroy the established order, depends upon its flexibility. When the old formulation of customs and beliefs can be made to include new knowledge and new action on the horizon of inherited experience, the social transition from one form of civilized life to another is less destructive. But if the social system is rigid, its resistance to change increases the explosive force of the desire for private wealth and personal power among the unbalanced and the ignorant. Such desires dominated the minds of those who sought control of the Roman Dictatorship in the fifth century; and these desires were socially destructive. But they could have been controlled if a place had been found in the old order for new conceptions of the universe and new moral standards. In the early fifth century the problem was not envisaged as it would be in modern times, because the great majority of those who thought at all on such subjects were deeply affected by the sense of their own helplessness. This gave support to the belief in celestial Powers outside their control, which might serve to explain their fate.

### *Two Views of History*

The two chief contemporary authorities for the account of the sack of Rome are Zosimus and Orosius; but both wrote propaganda rather than history, and neither was a witness of the event. Zosimus, a non-Christian writing in Greek, was chiefly moved by regret for the old gods and their worship; and he compares Athens, protected by Athena, and therefore not sacked by Alaric, with Rome, whose Christian God did not prevent the Christian Alaric from taking his plunder. Orosius, a Spanish priest, writing in Latin, was chiefly concerned to show that Christianity did no harm to Rome when Alaric plundered it. His book bears in its title the phrase "against the Pagans," and he draws a contrast between Rhadagast who failed to reach Rome, and Alaric who succeeded.



"By the ineffable judgement of God," he says, "it came to pass that two tribes of Goths with their two most powerful kings raged about the Roman provinces, of whom one was a Christian and nearer to the Roman, and, as the event proved, in fear of God, gentle in slaughter; the other a Pagan, a barbarian and truly a Scythian (Goth). . . . Wherefore God, the just governor of the human race, willed the pagan enemy to perish and the Christian to succeed."<sup>1</sup> This seems to mean that God prefers a robber and murderer who is a Christian and assists him in his efforts. Thus the sufferings of his victims are shown to be good for them, as a punishment for sin; while, fortunately, as Orosius remarks, "the blessed Innocent, the bishop of the city of Rome, like the just Lot withdrawn from among the Sodomites, by the hidden providence of God, was then staying in Ravenna."<sup>2</sup> Also Alaric and his men are said to have spared valuables which belonged to the basilica of Saint Peter—another blow to the pagans. Thus, behind the actual events in Rome, the historians of the day sought to discover the working of celestial Powers.<sup>3</sup> That was their chief interest. There was no agreement about the nature of these Powers, and still less about which among them was most powerful. But it was generally believed that something or somebody in the sky was at work in deciding what should happen. About fifty years before the sack of Rome, Ammianus Marcellinus, a soldier and a gentleman, explained in his history that these celestial Powers knew what was going to happen and could convey the knowledge, if they chose, to men.<sup>4</sup> And without understanding this attitude of mind in the early fifth century, it is impossible to explain either the events or the policies of that time.

The disagreement between pagan and Christian historians turned upon their moral judgement with regard to the action of divine

<sup>1</sup> Orosius, *Hist.*, vii, 37-8. The description of Alaric as "mitis in caede" is, to say the least, simple-minded, whether it means that he cut your throat quite gently, or, as Orosius probably intended, that he gently killed pagans only and not Christians.

<sup>2</sup> *Ibid.*, 39, 2.

<sup>3</sup> Zosimus begins (i, 1) with reference to (θεῖα τιμὴ προνοία) "some divine providence."

<sup>4</sup> Amm. Marcell., xxi, 1, 8. Fundamental forces (*substantiales potestates*) can be controlled by rites.

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Powers. The facts were the same for both; but the mind of the time demanded an answer to the question whether the situation as a whole was better or worse. And both parties assumed that it was either better or worse because of the character and conduct of the gods. But on that issue the historians had obviously to rely, not upon the exact knowledge then available to them, but upon traditional beliefs with regard to forces or powers which lay beyond the horizon of their knowledge. Many forces, however, unknown to them are now within the horizon of exact knowledge; and therefore some of the operative causes in the dissolution of the social system in the fifth century, which they conceived vaguely in terms of celestial Powers, can now be explained in terms of exact knowledge. Within their horizon there was no knowledge of what is now called economic or political science or biology. They knew nothing of the causes of the rise and decline of prices, or of the action of bacteria in plagues. But precisely such forces were operating to effect the changes which they believed to be due to celestial Powers. The modern historian, therefore, has to rely upon incidental phrases, hints and suggestions, in the original authorities, for evidence of actual forces, of the importance of which they were almost entirely ignorant.

But allowance must also be made for the fact that other forces were at work in former times, which are still unknown in the twentieth century. These are no more mysterious than the action of bacteria seemed to be in the Middle Ages. Even Gibbon when he recorded the extension of plagues in the later Roman Empire knew no more about bacteria than Zosimus. There is no complete or final knowledge at any date. But to allow for the limits of the knowledge of historians even at the present day, does not imply belief in the existence of any force or factor which cannot be known in the future. For example, a further examination of graves or of the ruins of cities, may explain the nature and extent of the depopulation from which the Roman Empire suffered; or again, a greater understanding of psychology may explain the function of the "Spiritual Power" or of magical ceremonies used from the fifth to the ninth century. It would be unwise, therefore, at any date to

accept the assumptions of either Christians or non-Christians in the fifth century about the existence and nature of celestial Powers as an explanation for what is, at the moment, unknown.<sup>1</sup> The increase of knowledge and the improvement of the moral judgement will, no doubt, in later years serve to explain more, but never all, of the history of the far past.

### *Works of Controversy*

The public Authorities in the Roman Empire, from the Emperor downwards, were already committed to the support of some form of Christianity, and in general opposed the use of the traditional rites and ceremonies. For many years before Alaric sacked Rome, Christianity had been gaining ground. But some of the most highly educated and influential Romans still hoped that the old non-Christian rites would be allowed to survive. A striking example of this attitude is to be found in the appeals of the Senator Symmachus, Prefect of the City of Rome, A.D. 384 and Consul A.D. 391, to the Emperor Valentinian II. His first argument is that Rome had won her victories while the old rites were performed and that she had failed to resist barbarians under the Christian God. He writes—"Clearly Emperors may be found of either part and either opinion. The earlier followed the rites of their fathers; the latter did not abolish them. If the religion of the older Emperors is not an example to be followed, at least permit the compromise (*dissimulatio*) of the later Emperors to act as one. . . . Constantine followed the old ways and admired the founders of the temples; and while he himself adopted other rites, these older rites he kept for the Empire."<sup>2</sup> This first argument is based upon the policy of the past century since Constantine. But Symmachus then turns to

<sup>1</sup> Hodgkin, in his admirable book *Italy and her Invaders*, asserts that the disappearance of the Roman Empire in the West was due to the will of God. For other statements he scrupulously offers proofs, but not for this. Far be it from any historian to attempt to disprove the truth of a statement for which no proof is offered. This, however, is one of the examples of the way in which historians are led to make statements which are metaphysical, without even knowing that they are metaphysical.

<sup>2</sup> Symmachus, *Relationes*, Ep. lib. x, *M.G.H.*, Auct. Ant., vi, p. 280. "Si exemplum non facit religio veterum, faciat dissimulatio proximorum."

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the more general argument that each city has a presiding deity, with whose rites the life of the city is intimately connected. Thus Symmachus writes—"Different cities have different gods"; and Rome herself is imagined as speaking for her own gods "who preserved her from Hannibal and the Gauls." "Therefore we ask peace for the gods of the fatherland." A third argument follows, that there is no sacred road to deity. Symmachus says: "Rightly that which all men worship is thought to be One only. We look to the same stars; the same sky is common to all. The same world holds us all. What does it matter by what wisdom each man seeks the truth? Not by one road only can so great a mystery be approached."<sup>1</sup> But the argument is evidently a despairing appeal to imperial Authority, to spare the remnants of a dying tradition.

A direct reply to Symmachus is in a letter of St. Ambrose, addressed to Valentinian II, then a young man and recently accepted as Emperor in the West.<sup>2</sup> In this letter the arguments of Symmachus are taken in order; and his actual words are sometimes quoted. On the first point, that Rome owed her success to her ancient rites, St. Ambrose argues that Rome has often been defeated while she used those rites. Jupiter even allowed the Gauls to come as far as the Capitol, where a goose defeated them: "Did Jupiter speak in a goose?" As for the argument, "there are many ways to approach the great mystery," Ambrose replies: "We know, by the voice of God, what is unknown to you," which means either that there is no mystery or that many ways may mislead. Symmachus, speaking for the weaker side, pleads for toleration; and Ambrose expresses the emotional certainty which has in all ages been the basis of the persecution of minorities. As for the request of Symmachus that the Vestal Virgins and the temples should be supported by imperial funds, Ambrose replies that the far greater number of Christian virgins do not ask for riches and that "the wealth of the Church is merely the income of the poor"—this implying a new

<sup>1</sup> *Uno itinere non potest pervenire ad tam grande secretum. Relat., M.G.H., Auct. Ant., vi, p. 283.* Compare the statement in F. H. Bradley's *Appearance and Reality* (1902), p. 7: "there is no calling or pursuit which is a private road to the Deity."

<sup>2</sup> Ambrose, *Ep. xviii, Pat. Lat.*, vol. 16, col. 971.

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conception of the functions of religious foundations.<sup>1</sup> The same argument is used as in the poem of Prudentius, to be referred to later, that Roman victories are "due to the Roman legions and not to the efficacy of Roman rites";<sup>2</sup> and as for the "Compromise of Constantine," it must not be taken as an expression of consent.<sup>3</sup> In any case the Emperor Valentinian should adhere to the decrees of his brother-Emperor, Theodosius.

The two poems of Prudentius "Against Symmachus" follow the same line of argument. The first of these begins with the statement that the author thought that Rome had been freed from its old discases, but the plague still survives there. He then proceeds to cast doubt upon the powers, not the existence, of the traditional Roman gods. He complains that "whatever the earth or sea, the hills or rivers bring forth is made into gods"; and the services of these gods, like the banquets of Janus, grow from bad to worse. Then the gods of the underworld are reviewed; and all are shown to have been useless. After about six hundred hexameter lines, Prudentius comes to a more important point. He says that in fact, if one looks at the people of Rome, they are seen to be going in crowds, not to the temple of Jupiter, but to the Tomb in the Vatican and to be baptized at the Lateran.<sup>4</sup> It does not affect him, he says, that a small number of men with illustrious ancestors keep their eyes closed to what is happening. Even in the Senate the majority is Christian.

The second poem contains better argument. In this Prudentius first makes reference to the plea of Symmachus for the preservation of the altar of Victory: "Do you seek for the mistress of success in war? It is for each his own right hand and Almighty God"—not a woman with hair flying and bare feet.<sup>5</sup> He does not notice that by adding "Almighty God" to "one's own right hand" he is only using a new name for what the ancients had called by many other names. As for the argument that cities have their traditional gods

<sup>1</sup> Ambrose, *ibid.*, section 16: *Possessio ecclesiae sumptus est egenorum.*

<sup>2</sup> *Ibid.*, section 30: *legionum gratia, non religionum potentia.*

<sup>3</sup> *Ibid.*, section 22: *dissimulatio pro consensu interpretantes.*

<sup>4</sup> Prudentius, *Contra Sym.*, i, 158.

<sup>5</sup> *Ibid.*, ii, 35. *Vincendi quaeris dominam? sua dextra cuique est et deus omnipotens.*

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and rites, this is precisely the same argument, used in later years, to maintain Christianity against innovations. Prudentius replies that if we can never break with the past, we should have to go back and live with primitive man in a cave.<sup>1</sup> Christianity is new—a revolution. But Rome survives; and “by Rome I mean the men who make the mind of the city.”<sup>2</sup> “Whoever gives Venus the credit, takes from the unconquered legions and from Rome herself the palm of victory.”<sup>3</sup> And yet Roman victories were due to the design of the Christian God. All the world has been made Roman to prepare it for the worship of Christ; and the services and labours under the Roman system will continue in the new dispensation.

This obviously is the poetic expression of confidence in victory over the old order. It is not valid argument. Prudentius was a poet—a Spaniard who admired the ancient achievements of Rome, but was more deeply moved by the sight of the Christian people of Rome thronging the great basilicas. Clearly the great majority in the City, as well as in the Senate and among the public Authorities, were Christian and cared nothing for “the ancient rites,” which seemed to a cultured few to be essential to the survival of civilization.

Another attempt to find a basis for toleration and compromise is the *Saturnalia* of Macrobius, written about A.D. 400. This is a discussion of many different points of view affecting the social and religious problems of the times. The author evidently hoped for a religion which would acknowledge one Deity, symbolized as the Lord, the Sun, and allowing diverse rites to be practised under legal protection. The character in the dialogue named Evangelus (gospeller) does not maintain what would now be called a Christian view of social classes, but rather the inequality of men. The author is believed to have been Praetorian Prefect in Spain (A.D. 399) and Pro-consul of Africa (A.D. 410): he was probably not a Christian.

<sup>1</sup> Prudentius, *Contra Sym.*, ii, 289: redeamus ad antra.

<sup>2</sup> Ibid., ii, 443. Romam dico viros, quos mentem credimus urbis, non genium. . . .

<sup>3</sup> Ibid., ii, 553.

Detrahit invictis legionibus et sua Romae  
Praemia diminuit, qui quidquid fortiter actum est  
Adscribit Veneri, palmam victoribus aufert.

Learned laymen, however, were not to be found only among the non-Christians. If indeed the author of the *Quaestiones*, hitherto called "Ambrosiaster," was Hilarius, a Christian, who was twice Prefect of the City of Rome, his discussion *Against the Pagans* (Quaestio cxiv) is of great importance; because his work is the earliest now known in which the word "pagan" is consistently used to describe all varieties of non-Christians. Again, his knowledge of the Epistles and of the Old Testament, as well as his legal and administrative knowledge, give great weight to his treatment of texts from Scripture. In any case, the author was a Roman layman who was critical of the Roman clergy, as in his attack on the pride of the deacons of the Roman Church; and he was also evidently a friend of Damasus, bishop of Rome. His work indicates how completely the Bible had taken possession of the minds of devout Christians.<sup>1</sup>

Thus the controversy between the most cultured advocates of paganism and those of Christianity was fully developed in the later years of the fourth century. In spite of famines, defeats of Roman armies and invasions of the Empire by barbarians, the Christian Emperors seemed to be still part of the eternal order of things. It was into this atmosphere of Christian confidence in the new order that the news of the sack of Rome by Alaric came as warning of worse to follow.

### *The City of God*

The most celebrated work in the controversy between non-Christians and Christians is St. Augustine's treatise on *The City of God*. This was a direct result of Alaric's sack of Rome in A.D. 410; and it was intended by the author to be a refutation of the "pagan" view that the sack of Rome was due to Christianity.<sup>2</sup> The twenty-two books of *The City of God* were written during thirteen years

<sup>1</sup> See Souter, *A Study of Ambrosiaster* (1905), and the Note by C. E. Turner in the *Journal of Theological Studies*, vol. vii, p. 284, on the word "paganus." In Ambrosiaster also is the word "paganitas." The writer of the *Quaestiones* is believed to be Decimus Hilarius, to whom some of the rescripts in the Theodosian law-books are addressed.

<sup>2</sup> Augustine, *Retract.*, ii, 69. Deorum falsorum multorumque cultores quos usitato nomine paganos vocamus in Christianam religionem referre conantes (i.e., eversionem Romae).

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in the intervals of the busy life of the bishop of Hippo, whose energies were spent in preaching, in controversy with the Donatists, in political negotiation, and in the care of refugees and of the poor dependants of the Churches in his diocese. Augustine was fifty-nine when he began it; and he died at the age of seventy-six (A.D. 430), four years after it was finished, while the Vandals were besieging the city in which he lay. *The City of God*, therefore, must not be taken as the abstract theory of a dispassionate observer. It is an urgent appeal, addressed mainly to Christians, who had been disturbed by the obvious collapse of Roman power in the West; and its chief purpose is to express in terms of world-history, as Augustine understood it, the fundamental importance of the distinction between right and wrong.

Augustine was born and brought up in Africa, and knew Rome only as a visitor. Unlike Symmachus, he belonged, as a lawyer or lecturer, to the intellectuals of the middle classes, who were attracted in different directions by the many different Oriental philosophies and religions. His own preference had been for the Manichaeans and what is now called Neo-Platonism. Thus, even before accepting Christianity, Augustine was familiar with the theories of history, which contrasted the evil forces of "matter" and "the world" with the divine, conceived as morally good. The interest of *The City of God*, however, for the purpose here in view, is confined to its expression of a theory of social institutions affected by celestial Powers. But it is impossible to understand Augustine's conception of social institutions without reference to the general view of the universe, with which the last fourteen books are concerned. The first ten books were intended to be directly controversial; but the argument is, to say the least, obscure, and the conclusions neither clearly stated nor consistent. The treatise begins by attacking non-Christians for not being grateful because the sack of Rome (*vastatio urbis*) had been less destructive than it might have been. The barbarians had respect for the Christian basilicas. The sack of the city is said to have been one of the normal experiences of war; but what was exceptional in it was due to Christianity, namely the survival of most of the inhabitants and their sacred buildings. In



any case, Augustine continues, the sufferings of the Romans were punishments sent by God; and neither the loss of wealth, or of life or of honour, is of any importance to the Christian. In fact the Romans had only become worse, the more wealth and power they had acquired. Roman peace had been merely an opportunity for vice, which even misfortune could not cure.<sup>1</sup> This clearly implies, not a disproof of the assertion that the sack of Rome had been due to neglect of the ancient gods, but rather the doctrine that the Christian God had in fact designed the disaster for the moral benefit of those who suffered. In the next book Augustine argues that the older gods had given no guidance or support in the good life. The Romans suffered from a lust of conquest, which their gods had not corrected. The gods had even fought among themselves and had, therefore, taught the Romans civil war.<sup>2</sup> Indeed these gods may support the appetite for wealth and power, but have no concern with right and wrong. The philosophers and teachers of Greece and Rome were better than their gods, because they tried to stop the decay of morality. And "without justice what are kingdoms but great robber bands?"<sup>3</sup> The extension of the Roman Empire was not due to the gods whom the Romans worshipped, nor to their ceremonies, nor to the stars, but to the one God only, whom the Jews worshipped and whose service led them to success and wealth, until they sinned finally by killing Christ.<sup>4</sup> The success of the Romans, such as it was, was due to the virtues of their great men in earlier times; and even now, as Augustine says, when under his eyes the people of Carthage asserted that Rhadagast could not be conquered without the use of pagan ceremonies, he was in fact defeated and more than a hundred thousand of his army destroyed.<sup>5</sup> This shows that Christian Emperors have the blessing of God. Christians, however, do not call Constantine or Theodosius great, because they were successful, but only because they ruled justly and used their power to extend the worship of God.<sup>6</sup> This

<sup>1</sup> Neque enim in vestra securitate pacatam rem publicam, sed luxuriam quaeritis impunitam, qui depravati rebus prosperis nec corrigi potuistis adversis. *Civ. Dei*, i, c. 33.

<sup>2</sup> *Civ. Dei*, ii, c. 25.

<sup>3</sup> *Ibid.*, iv, c. 4. Remota iustitia quid sunt regna nisi magna latrocinia?

<sup>4</sup> *Ibid.*, iv, c. 34.

<sup>5</sup> *Ibid.*, v, 23.

<sup>6</sup> *Ibid.*, v, 24, 25, 26.

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concludes the argument of the first five books. The following five cast ridicule and doubt upon various pagan gods, and contain lengthy refutations of certain neo-Platonic theories. The purpose of the latter half of the argument is to show that pagan beliefs and non-Christian philosophies are useless for the life which is to come after death.

Augustine is by no means consistent. In one section he argues that wealth and power are not desirable; and as a good African he seems to have felt some resentment at the Roman destruction of Carthage.<sup>1</sup> But, on the other hand, he says that God allowed the Roman Empire to spread and the Jews to obtain wealth, which he regards as desirable. The still greater obstacle to consistency in his treatise is the confusion which gradually shows itself in his argument, between the statement that certain acts are morally right and the statement that they are willed by God. Thus, virtue and justice become for Augustine identified with the acceptance of his own cosmology. This leads him to exchange Cicero's definition of justice for one more consonant with the idea of a life after death; and as a social ideal he discards the idea of the community as a relationship in accordance with right or justice and substitutes the idea of a community as an agreement to pursue a certain purpose which, for Augustine, is life after death in heaven. Right action is thus distinguished from wrong as the action of the blessed contrasted with the damned. And the blessed are those chosen by God to be excepted from the general damnation of the whole human race, which was the natural effect of Adam's disobedience.<sup>2</sup> According to Augustine, the eternal torture of those not chosen is "not evil-doing on the part of God, who allows it by a just but unintelligible judgement," although it would be evil-doing in a man to hurt anyone else for revenge.<sup>3</sup> Thus, the last fourteen books of *The City of God* describe the division of God's chosen, who formed a city of God, from the rest of humanity. A history of the universe is drawn from the Hebrew Bible and legends. The civil war of

<sup>1</sup> *Civ. Dei*, xi, c. 30.

<sup>2</sup> *Ibid.*, xxi, c. 12. Hinc est universa generis humani massa damnata.

<sup>3</sup> *Ibid.*, xxi, c. 13. . . . sed non peccat Deus, qui iusto, quamvis occulto, iudicio fieri sinit.

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angels in heaven is fully discussed; and Augustine's uncritical imagination plays about primitive man, whose sexual organs, he informs his readers, were under better control than those of later times.<sup>1</sup> Concerning the resurrection of bodies after the last judgement, when no one will be too fat or too thin, Augustine, like Thomas Aquinas, was somewhat troubled by the case of a man who had eaten human flesh, on the ground that there would not be enough "body" for both the cannibal and his victim. But he is comforted by repeating many times Christ's saying, "not a hair of your head shall perish."<sup>2</sup> The contrast between Christianity and Paganism, therefore, in *The City of God*, is not based upon critical reasoning. It is the expression of assumptions about the truth of Hebrew records and the validity of the moral judgements expressed in them, which would not be accepted by Augustine's opponents. Christianity, however, appears as an emotional acceptance of a new point of view with regard to the celestial Powers.

Both Christians and non-Christians agreed that such Powers existed; and the celestial Powers in which Christians trusted were indeed alien to the Roman tradition, but more definitely connected with a doctrine of moral right and wrong than were the gods of the pagans. The conceptions of right and wrong in the new doctrine were crude, and confused with oriental imagery relating to the events of history. But evidently the strength of the Christian position lay in the fact that it did in some way express the importance of that moral authority which was generally felt to be dissolving in the last days of the Roman Empire in the West. It is of great importance that the distinction between right and wrong should be seen to be quite different from the distinction between success and failure or strength and weakness. The collapse of the whole world, as all Christians believed, would make no difference at all to the distinction between right and wrong. The traditional description of another sort of world in which this truth was embodied,

<sup>1</sup> *Civ. Dei*, xiv, c. 26. He repeats the same theory in the treatise on *Marriage and Lust*.

<sup>2</sup> *Ibid.*, xxii, c. 20; Aquinas, *Contra Gentes*, iv, 81. "Caro comesta resurget in eo in quo primo facit anima rationalis perfecta." Cannibals, according to Aquinas, have a share in their victims' bodies at the Resurrection.

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must not be allowed to obscure the fact that a new form of moral judgement had now taken hold of thousands of simple folks, outside the circles of the philosophers. The whole weight of the argument in *The City of God* rests upon the belief in another world in which the dead are divided for ever—some living above the skies in happiness, and others beneath the earth in torture. And although Augustine expresses his admiration for the heroes of old Rome—Regulus, Scipio and the rest—these too are among the damned.<sup>1</sup> This belief, again, rests upon the acceptance of the Bible, not only as a record of historical facts, but also as a final authority on the estimate of moral values. Thus, the estimate of good and evil, and of right and wrong action, was confused with a statement of fact about heaven and hell. *The City of God* must be read as a whole. Its importance for those who read it in the dark days of the fifth and sixth centuries, lay in the fact that it gave them confidence and hope, while the Roman world collapsed around them. It was indeed a refusal to accept disaster and defeat as final. It was a call to endure suffering as only a trial through which right and justice might be at last established, not by our own strength, but by celestial Powers, and not in this, but in another world. Augustine did not appeal in *The City of God* for social or institutional reforms; and his moral standards, not indeed peculiar to himself, were crudely conceived. He condemned the pagan gods because their civil wars gave a bad example to man; but he saw no difficulty in the civil war of the angels, which implied at least weakness in the Christian God. He condemned Jupiter for his amorous adventures; but he showed no distaste for the unprovoked aggression of the Hebrews in their conquest of Palestine, or for the savage commands of their God, or for the cruelty involved in the tortures of hell.

About twenty years after the death of Augustine, Salvian, a

<sup>1</sup> Some non-Christian Romans, like Symmachus, must have felt as King Radbod of the Frisians is said to have felt in the early eighth century. The King, in the act of being baptized for his own salvation, enquired where his ancestors would be; and, on being told that they would lie for ever in hell, he withdrew from baptism, saying he would prefer to stay with his ancestors (*Annales Xantenses*). Dante in A.D. 1300 saw in hell Caesar, Seneca, Socrates, Plato and Aristotle—because they had not been baptized. But they were not tortured. Torture was reserved for the critic of Dictatorship, Brutus, in the tower storey of the medieval "Brown House" or Concentration Camp. See *Inferno*, iv, 123 sq. and xxxiv, 65.

priest of Marseilles, wrote a book on *The Government of God* which was an attempt to reply to those who said that the distress of the time proved that the events of history are not designed by a benevolent Providence. The book is much more reasonable and consistent than anything written by Augustine, and expresses a much more definite moral teaching than that of *The City of God*. But it has had much less influence, precisely because its argument depends upon a clear perception of facts and of moral values, whereas Augustine's work played upon an imagination which found relief in it from the normal difficulties of thought and emotion. In a period of childhood, like that of the First Europe, fairy tales are more effectual than social criticism. The argument of Salvian rests upon the assumption that the distress of the time—recognized to be more serious than Augustine or Orosius thought—was the direct result of God's desire to teach men to be just. "We deserve," writes Salvian, "what we have suffered, because of our evil-doing and the complacency which covers our crimes."<sup>1</sup> Then follows a review of the character of the barbarians, of "bacaudae" or riotous bands, the flight of Roman citizens, the injustice of judges, and the tyranny of the rich. This will provide evidence for the discussion later in this chapter. But perhaps the whole book, in spite of its directness and strength, can hardly be classed as a work of controversy, except in so far as it implies a criticism of the complacent admiration of the established order among the rich and powerful, who derived great benefits from its maintenance, and whose feelings are expressed by such writers as Rutilius Namatianus and Sidonius Apollinaris.

### *Churches and Temples*

The opposition between Christians and non-Christians is not wholly expressed in controversy. It can be more clearly perceived in the contrast between the sacred buildings which they erected and used. More striking than any documents are the Christian basilicas of the fourth and fifth centuries in Rome, in Ravenna, and

<sup>1</sup> Salvian, *De Gub. Dei*, iv, 12. The book was published probably before A.D. 451, because the invasion of Gaul by Attila in that year is not mentioned.

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other parts of Italy. The contrast between these buildings and the temples of the older religions is a clear indication of the character of the New Order. Prudentius, as it has been shown above, contrasted the empty temples with the crowded basilicas of the Lateran and the Vatican. In his hymn for Saints Peter and Paul he describes the splendour of their shrines. And it was to the Christian basilicas that men and women fled for safety from the marauding Goths under Alaric. But it is not merely because these buildings were popular that they are important for the argument here. The contrast of the two systems of religion is shown by the difference between the uses for which they were designed. A temple is a shrine for the statue of a god, to be looked at from outside. Worshippers at festivals gathered outside. The priest or priestess was a person of a certain family or of some social influence. On the other hand, the Christian basilica was designed to hold crowds; and the crowds were of all classes, rich and poor, strong and weak. They formed a single community. They gathered not merely for hymns, processions, and the central ceremony of the Eucharist, but also to hear instruction and exhortation in homilies and sermons. In the church or at its doors the poor received alms. And the officials of the Christian community—priests, bishops and deacons, were selected for their office by some kind of popular acclamation.

At the end of the fourth century no more temples were being built. But the great Christian basilicas, some of which had been built, or at least used, in the days of Constantine the Great, were being extended and adorned. In the Vatican the basilica of St. Peter was a centre for ceremonies and pilgrimage from the early days of the fourth century until the middle of the sixteenth century. The basilicas St. John in the Lateran, St. Paul's outside the Walls, St. Mary the Greater (*Basilica Liberiana*) and St. Sabina, are all of the fourth or early fifth century; although all have been remodelled. In these many places the Romans of the fifth century gathered and prayed, while the old social system fell into ruins. Significant, also, of the change were the mosaic decorations in the basilicas. In Rome those of the fifth century are on the triumphal arch of St. Paul's outside the Walls, on the entrance wall of St. Sabina and in St. Mary

the Greater. But in Ravenna, where the fifth-century basilicas no longer survive, the most brilliant mosaics are those in the mausoleum of Galla Placidia (about A.D. 450), whose adventures and death were closely connected with the destruction of imperial authority in the West.

### *Opposing Attitudes*

Whatever may be thought about the celestial Powers, the most important historical fact is that in the early fifth century, within the Roman Empire, there was complete disagreement about them. The two groups most definitely opposed are represented by Orosius and Zosimus. They have been called the Christians and the Pagans. But each of these two names obviously covers a very large number of different views of life and of the Powers which men believed they ought to propitiate. It is true, as Sir Samuel Dill has so admirably said, that those who shared in the traditional culture, both the Christians and the non-Christians, were able to enter into friendly communication. Ambrose could admire the scholarship of Symmachus, and Symmachus the vigour of Ambrose, as in the early fifth century Augustine, already a bishop, could enter into friendly controversy with the non-Christian Longinianus.<sup>1</sup> But the student of history will not be misled by literary politeness. The feelings of the great majority of Christians were certainly hostile to Paganism. And the non-Christians, not only among the rich senators, but also throughout the country districts, felt a deep hostility to the Christian suppression of ancient rites and the Christian disdain for traditional forms of reverence of the Divine. It is most important that the disagreements about beliefs and practices in religion disturbed all the communities of the Roman Empire, which was, in this matter, a house divided against itself. The dissolution of traditional religious belief weakened the reliance of men upon their neighbours, and therefore tended to undermine the traditional social system. The opposition between non-Christians

<sup>1</sup> Dill, *Roman Society in the Last Century of the Western Empire*, 2nd ed., 1921, p. 14 sq. This admirable book gives a full account of the culture and manners of the fifth century in western Europe.

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and Christians in the early fifth century, therefore, must be treated as one of the chief causes for the dissolution of the Roman system of government and social organization.

The non-Christians included a highly educated society of rich men, still powerful in Rome and the other great cities, in spite of the fact that the Emperors adopted and supported Christianity. This group of rich and powerful men supported the traditional rituals by associating them with the long history of the success of Rome in the pursuit of wealth and power. Their chief strength lay in the memory of the past, while, for the Christians, the future in another world seemed more important. The memory of great Roman generals and statesmen was sufficient to prove to non-Christians that the established order depended upon the acceptance of traditional beliefs and customs. The heroes of the educated and richer classes were men who had established and maintained public authority. They were free men and not manual workers; but obviously Christianity had begun among the working classes; and the uneducated mass of slaves and artisans could hardly be expected to understand or to estimate correctly the value of a system which they did not establish or control.

Again, the non-Christians admired vigour and valour (*virtus*) which was effectual in controlling nature or governing men.<sup>1</sup> They thought of "manliness" as the basis of that great system of the administration of justice, which is implied in the work of the great jurists, and in Roman Law. Men and women, impressed with the value of the culture they had inherited and the order and civilization which their forefathers had established long before Christ had been heard of, naturally regarded the Christians as evil influences and regretted the official support of Christianity. The non-Christian aristocracy in the West was aware of the disturbances which followed disputes among Christians themselves. Such scenes, for example, as those which accompanied the struggle for the bishopric of Rome, between the supporters and opponents of Damasus, the bishop of Rome, in A.D. 366, must have contributed

<sup>1</sup> *Vetus illa Romana virtus et sobria*. So Ammianus Marcellinus (xv, 4, 3), referring to the road over the Cottian Alps.



to the mistrust of the new religion.<sup>1</sup> The attitude of the non-Christian wealthy or middle classes was like that of similar observers in German cities between 1918 and 1932, who heard with disgust of street-fighting between manual workers, under the leaders of various fascist, communist or socialist groups. The upper class in Roman cities can hardly have supposed that their power would pass within a few centuries to the successors of the leaders in such street brawls.

Again, non-Christians were aware of the contradiction involved in the Christian teaching with regard to public office, and in particular to military service. An imperial Edict forbade non-Christians to serve in the army or to hold public office.<sup>2</sup> But there was no agreement among Christian teachers concerning the fulfilment of public duties. On the one hand, Paulinus, bishop of Nola, speaking in the name of Christianity, advised the Christian against military service on the ground that it involved giving assistance to murder, and was unworthy of a follower of Christ;<sup>3</sup> on the other hand, Augustine, bishop of Hippo, a friend of Paulinus and a much more influential teacher, wrote: "I do not approve of killing others for the defence of one's own life, unless you are a soldier or an official acting, not for yourself, but in defence of others or of your city, if you so act under a lawfully given command and in a way proper to your office."<sup>4</sup> It is hardly strange that the opponents of Christianity should be distrustful of a religion which seemed to have no consistent teaching with regard to public service.

Again, the principle of toleration for diverse rituals and beliefs which was traditional in the Roman Empire, implied that those who took advantage of toleration should at least practise it towards others. Toleration does not logically permit the advocacy or the

<sup>1</sup> The supporters of the rival bishop were shut in and killed or maimed in the basilica, now S. Maria Maggiore, by the supporters of Damasus.

<sup>2</sup> *Cod. Theod.*, xvi, 10, 21 (Dec. 7, 416). Qui profano pagani ritus errore seu crimine polluuntur, hoc est gentiles, nec ad militiam admittantur nec administratoris vel iudicis honore decorentur.

<sup>3</sup> Paulinus, *Ep.*, xxv. Qui militat gladio mortis est minister . . . ideo dicit dominus: non potestis duobus dominis servire, scilicet uni deo et mammonae, Christo videlicet et Caesari, cum ipse Caesar Christi servus nunc studeat esse, ut aliquarum gentium rex esse mereatur.

<sup>4</sup> Augustine, *Ep. ad Publicolam.*, No. 47 in *C.S.E.L.* ii, pars 2, p. 135.

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practice of intolerance. But the Christians denied that any other view of the universe or of virtue than their own was correct, and refused to perform symbolical acts of loyalty as trivial, in the opinion of pagans, as in modern times it would be to stand while a national anthem was played. Worse still, they seemed to expect and to approve a subversion of the established social order; for in one of their sacred books a hymn declared that their God had degraded those who had social influence and raised up the lower classes. As the Latin text had it—"Deposuit potentes de sede et exaltavit humiles"; and it must be remembered that the "potentes" were the governing classes of the Empire and the "humiles" were their dependants.

Non-Christians were also aware that Christians stood aloof from public affairs and supported what seemed to be social revolution only until they had obtained complete control of the central government under Theodosius. After that time they had supported the persecution, not only of pagans, but also of fellow-Christians who happened to be in a minority. And when Christian bishops had become imperial functionaries they were also opponents of any movement tending to social revolution. The pagans not unreasonably suspected that the desire of the Christians was to obtain power and that the policies they adopted were due chiefly to this.

A last, and most reasonable, ground for doubt about the new religion was the fact that the barbarians themselves, who were destroying the Empire, were Christians. That they were Arian heretics made no practical difference; for some Christian Emperors after Constantine had supported the Arians. The non-Christian must have felt that Christians in the Roman cities welcomed the destruction wrought by the Christian barbarians. They, no less than the Christians, remembered that before Constantine deserted Rome for an eastern capital, the Emperors had treated Christians as enemies of the commonwealth. Indeed Christianity itself might be only a passing phase in the long history of Eternal Rome.<sup>1</sup>

<sup>1</sup> St. Augustine (*Civ. Dei*, xxviii, 54) argued against a pagan theory that Christianity would last for only 365 years. This theory also asserted that St. Peter had won over Rome to Christianity by magical arts; and it is in this connection that St. Augustine makes the significant remark "non in Petrum credimus, sed in quem credidit Petrus."

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But the non-Christians who feared the influence of the new religion were not all rich and powerful. In the country districts, as the word "pagan" (country-man) implies, there were thousands of simple men and women who desired only to continue the worship and propitiation of celestial Powers, which their forefathers had believed to be effectual. These made no theories about Deity. All they knew was that certain rituals at certain times would protect the crops or increase their flocks, or keep them secure against the dangers of flood or earthquake or other calamities. The suspicion, therefore, with which the new-fangled beliefs and practices of an eastern, and indeed partially Jewish religion was regarded, was sufficiently widespread throughout western Europe to divide the community.

On the other hand, the Christians might well be suspicious of the influence of those who stood for the traditional religion. It was only about a century since the last persecution; and the Christian Churches still maintained in their festivals and their writings the memory of official and popular hostility organized in the name of the very system which its supporters said had made Rome great. It was quite reasonable for those who now accepted beliefs and practices which had been bitterly persecuted, to fear a revival of what earlier Christians had suffered. The hatred of the Emperor Julian, who tried to revive Paganism, is an indication of fear surviving among Christian writers and preachers. Again, the Churches in the early fifth century were no longer small numbers of aliens in the Roman cities. They had their own organizations for mutual benefit under their own officials, the bishops, who could rival in force of character and, in some cases, in learning and culture, the representatives of the old order.

Further, the very fact that Christianity counted among its founders and first adherents men and women of the lower classes, slaves and manual workers, made the contrast between the new gospel and the old order the more obvious.<sup>1</sup> Christianity had more widely extended and more highly organized the equality of all

<sup>1</sup> In the *Octavius*, viii, of Minucius Felix, the non-Christians say of Christians, "qui de ultima faece collectis imperitioribus et mulieribus credulis . . . plebem instituunt."

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brethren within each community or church, which had proved so attractive in the earlier mystery religions of the East. At certain times in the development of the ancient social system, the desire to disregard the barriers of caste or class had attracted the best men and women. The Stoics had thrown doubt on the institution of slavery; and although the Christian Churches made no attempt to abolish slavery, the equality of all human beings as "souls" was an assumption generally accepted in Christian society. The heroes of the Christian Church were not generals and statesmen, but martyrs or confessors who had been slaves or manual workers. Poor and humble folk had founded the Churches and suffered nobly, as well as some few among the rich, who despised riches. As Theodoret argues, servant girls and slaves among the Christians had shown a valour and constancy as great as that of the heroes of the non-Christian world.<sup>1</sup> Indeed it was with pride that St. John Chrysostom remarked that the Emperor himself prayed for the help of a tent-maker and a fisherman.<sup>2</sup> Christianity had not yet forgotten that its source was to be traced to the insight and character of manual workers, and not to the wisdom of the schools or the experience of rulers. The Christian bishops had not yet forgotten their responsibility for justice due to the weak and the poor.

Again, the Churches in the different cities and towns of the Empire were organized societies, independent of the social and political system, long before Constantine had sought to use their influence, by admitting them to power in the State. Three generations after Constantine, in the early fifth century, the Churches were still largely independent of the organization of local government. The Emperor was Christian; and his decrees supported the Churches and opposed Paganism. The bishops were therefore loyal to the Emperor and his direct representatives, rather than to the

<sup>1</sup> Theodoret, *Graec. Affect. Curatio*, lib. vii (Teubner edit., p. 217). Theodoret was probably thinking of the letter of the Church of Lyons (A.D. 177) to the Churches of Asia, preserved in Eusebius, *History of the Church*, in which the slave girl Blandina's suffering is described.

<sup>2</sup> St. John Chrysostom, Hom. in 2 Cor. xxvi, 5. τοῦ σκηνοποιοῦ καὶ τοῦ ἀλιέως προστατῶν καὶ τετελευτηκότων δεῖται ὁ τὸ διάδημα ἔχων. *Pat. Gr.*, vol. 60, col. 582. "He that wears the crown beseeches the tent-maker and the fisherman, though dead, to be his patrons."

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survival of republican forms in the Senate or in the municipal councils. The Churches themselves, by this time, were organized on an authoritarian basis. The bishops, once chosen, exerted absolute authority, or at any rate claimed to hold it, within the community formed by each local Church. The Churches were therefore no longer "democratic." Their members felt a natural sympathy for the dictatorship which governed, at any rate in theory, the Roman world. As it will be argued in a later chapter, Christianity in the West remained in this sense oriental. But the very fact that the Christians and their bishops naturally looked to the Emperor and not to the Senate, the municipal authorities or the oligarchy of rich men, which controlled parts of the western world, created another opposition of outlook between Christians and non-Christians.

Between the two opposing forces, which were later called Christian and Pagan, there were many mystical or religious groups of men and women who were regarded at the time as heretical Christians. An edict of May 30, A.D. 428, from the Emperors Theodosius II and Valentinian III, addressed to Florentius (*Praefectus Praetorio*), gives a list of Christian or almost Christian sects which were to have no right of meeting or praying in the Roman Empire. These are "Arians, Macedonians, Apollinarians, Novatians, Sabbatians, Eunomians, Valentinians, Montanists or Priscillianists, Fryges, Marcianists, Borborians, Messalians, Euchites or Enthusiasts, Donatists, Andians, Hydroparastates, Tascodrogites, Fotinians, Paulians, Marcellians, and those who have arrived at the lowest depths of crime—Manichaeans."<sup>1</sup> This is a sufficiently terrifying number of groups, seeking shelter under the common name of "Christian," who were to be suppressed and persecuted. The traditional religious tolerance of the earlier Roman Empire, which had excluded only "Christians," now changed, under the influence of rival groups of clergy and monks, into the *gleichshaltung* of an infallible Dictatorship. The Christians who had suffered persecution were not opposed to persecution, but only to being persecuted

<sup>1</sup> *Cod. Theod.*, xvi, 5, 65. The list is repeated with some additions in *Cod. Just.*, i, 5, 5.

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themselves. And in the early fifth century, when the many different beliefs and customs which were later confused under the name of Paganism, no longer had any general appeal, the persecuting zeal of those Christians who happened to have influence was turned against their fellow Christians. As Ammianus Marcellinus remarks in reference to the struggles for power in the fourth century, "no beasts are more savagely hostile to men than Christians attacking their fellow-Christians."<sup>1</sup> This hostility, and the persecution it caused, helped in the general dissolution of the social system.

Again, the line between Christians and non-Christians was by no means so clearly defined as the advocates of either religion would have liked to suppose. Many, no doubt, were undecided from year to year which attitude to adopt. A decree of the Emperors in A.D. 381 refers to Christians who had returned to pagan practices.<sup>2</sup> All this would perhaps have made little difference in the earlier years of the Roman Empire; because the Roman system was always hospitable to foreign gods and foreign religious practices. Indeed, the Roman Church, even at a later date, carried on the tradition of ancient Rome in its acceptance of the herocs and the rituals of other religions. But in the fifth century religious passions ran high. Such passions were less violent in the West than in the East; but even in the West, when the minds of men were disturbed by their fear that the traditional system which they had inherited was being undermined, this fear led to suspicion and hatred of each man for those who differed from him. The mixture of diverse races, religions and economic interests which had been united by Rome, proved to be explosive; the system was being destroyed by disruptive forces without it; and one of these forces was religion.

### *The Poor*

The second great force disturbing the Roman system was the opposition of interests between the poor, the manual workers and the slaves on the one hand, and the rich and powerful on the

<sup>1</sup> Amm. Marcell., *Hist.*, xxii, 5.

<sup>2</sup> *Cod. Theod.*, xvi, 7, 1 (2 May, 381). Gratian, Valentinian and Theodosius. *His, qui ex Christianis pagani facti sunt.*

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other. The hopelessness of the poor and the irresponsibility of the rich showed that neither rich nor poor would make any effort to support the traditional system. The poor fled from estate to estate and even into the camps of the barbarian invaders; while the rich retired to any of their estates which they imagined would be safe. These two groups can be watched as they separate under the impact of barbarian invasions and leave the city-civilization of western Europe in ruins. The poorer free workers in the countryside, and the free artisans in the cities, were hardly different from the slaves, in power or social functions. The tax system destroyed the poor man. The State for generations had farmed out the tax-collection to the *publicani*. These men, throughout the Roman Empire, paid a fixed sum to the treasury and squeezed as much as they could from the defenceless peasantry. A tenth of the peasant's crops was the theoretical basis of what he owed; and even an exact computation of his debt would have borne hardly enough upon him, not only because of unfavourable harvests, but because of the incessant wars.

The poorer classes, both slaves and manual workers, had for some generations sought refuge in flight. Some fled from one estate to the other, seeking the protection of a more powerful, or perhaps more kindly, master; others fled to the cities where they might be lost among the mass of unemployed who were dependent upon public assistance. Others took refuge in the forests or the hills, and lived by brigandage; and some joined any marauding band of barbarians who would permit them to share the loot. The Theodosian law-books contain many decrees directed against fugitives and those who gave them shelter.<sup>1</sup> But the decrees are repeated year after year and are therefore proved to have been ineffectual. Indeed it was to the advantage of a powerful landowner or his agent to have more labour on his estate; and he could easily protect fugitives, both by such armed force as he himself might raise, and by his influence with the local officials of the Empire. But evidently the flight of men and women from one place to another, seeking

<sup>1</sup> *Cod. Theod.*, v, 17. Rescripts of Constantine (A.D. 332) and of Gratian, etc., in A.D. 386.

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escape from oppression, must have reduced the productive powers of the old system.

When it became clear that the barbarians were not only marauders, willing to accept the assistance of fugitive slaves, as in the sack of Rome, but also powerful groups settled upon the land, the poor and the oppressed were all the more willing to seek protection from them. Salvian, the Marseilles priest, writing about fifty years after Alaric's invasion of Italy, says that in Gaul poor men sought liberty by escaping to the barbarians. It had evidently become clear to many that they had nothing to hope for from the Roman system. Salvian writes: "As with the outlaws, so it is with nearly all the poorer classes. . . . What else but liberty can these poor wretches desire, who suffer the pressure of continuous taxation, who are threatened always by endless requisitions, who desert their own homes lest they should be tortured in them, and seek exile lest they suffer punishment? The enemy are kinder to these than the tax-collectors. Experience proves it. They fly to the enemy to escape the weight of taxation. And this, although hard and inhuman, is less bitter if all suffer it equally."<sup>1</sup> And again: "Who calls the impoverished lower classes to a share in benefits? . . . And do we wonder if the Goths are not conquered by our men when Romans prefer to live among them than among us? And so, not only do our brethren refuse to fly from them to us, but they fly to them and leave us."<sup>2</sup> As for the poor who seek protection on the estates of the rich, "they suffer such a transformation as Circe worked—they are changed into cattle. For those whom the rich receive as strangers, they hold as their own men; and those who are free are turned into slaves. Do we wonder, then, if the barbarians enslave us, when our own brethren make us captive? Small wonder that there is devastation and the ruin of cities."<sup>3</sup>

In Rome and the greater cities of the Empire, thousands of the poorer manual workers, who were not slaves, had for centuries been dependent upon the distribution of bread by the public Authorities. The gift was called the *panis gradilis*, or "step-bread,"

<sup>1</sup> Salvian, *de Grub. Dei*, v, 7. Salvian was born about A.D. 400 and finished his book about A.D. 450.

<sup>2</sup> *Ibid.*, v, 7.

<sup>3</sup> *Ibid.*, v, 7.



because each householder who claimed a portion received it publicly at the steps of some official building in his district.<sup>1</sup> In the fifth century bacon and other food was added to the bread distributed. But three points about the distribution are worth notice. First, the beneficiaries were men without a master, that is to say, without roots in the social system. Secondly, the distribution was made to heads of families. The right to the bread depended upon the father's status. Therefore it was an advantage to the poor to have small families or none. Thirdly, the number of dependants upon public charity was always increasing; and by the fifth century the supplies available for distribution by imperial Authorities were becoming uncertain. Corn for Rome, for example, was often not obtainable, either because of bad harvests in Africa, or because of wars in different provinces. The water-supply and the baths of ancient Rome and of other great cities were also available for the poor, and the destruction of the Roman aqueducts during the barbarian invasions must have made the lives of the poor intolerable. But as the poor became more and more uncertain of support from the State, the Authorities of the Churches in all the great cities increased the distribution of food and clothing among the aged, the widows and other impoverished members of their own communities. This reason alone would be enough to explain the gradual transfer of dependants among the poor from the State to the Church. But the State had provided not only bread but circuses. And even in the fifth century the rich, who held public office, continued to pay large sums for public entertainment, in which the poor, no doubt, found some enjoyment. But although the influence of the Churches was generally opposed to the traditional entertainments, the clergy meantime was developing an elaborate ceremonial which provided an emotional substitute for the old circuses; with the additional advantage that the common people themselves played a part in the processions and other ceremonies of the Church, singing hymns, or electing bishops or receiving the Sacraments. They were no longer merely a cheering crowd of onlookers, but were partakers in the

<sup>1</sup> *Cod. Theod.*, xiv, 17. Section 2 requires that the bread shall be handed out from the steps and not from the bakeries (*palam in gradibus, non clam a pistoribus*).

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"Communion of Saints." The general lowering of the standard of living, no doubt, diminished the sense of loss when the aqueducts and the baths were falling into ruin. The change, however, was very gradual; for at the end of the sixth century Pope Gregory remarked in a sermon that some of his congregation went to the baths. But the cities were falling into ruins: and no work of construction for public services continued except the building of churches.

### *Slavery and Depopulation*

For some generations before the fifth century the population of the country districts in Italy and the West had been decreasing. The introduction of the labour of slaves working in gangs had driven out the independent farmers; and as the wars in the East no longer produced a sufficient supply of slaves for the large estates, the lack of agricultural produce in Italy was supplied by import from Egypt and Africa. This made it less necessary to have a working population in the country-side in Italy; and there was a drift to the towns such as always accompanies the exhaustion of an agricultural system. Further, the slave system depends upon a slave-trade in adults, because slaves are either unwilling or unable to rear children; and it does not pay a slave-owner to maintain the children of slaves for the eighteen or twenty years after birth, until they can become efficient instruments of production. Again, a slave system, at least for agriculture, does not employ a sufficient number of women to maintain the birth-rate; for women are useless for hard labour in fields.

For all these reasons, the Roman system of production in the West directly favoured depopulation. And a system which depended for its labour upon successful wars which brought in supplies of slaves, necessarily failed when the supply ceased. In the towns as well as in the country-side the same tendencies were at work. Countries to the East of Italy had supplied slaves in the early days of the Empire, when the slave-trade brought to the great cities of the West men and women already accustomed to slavery in their own countries, and many of them trained in domestic manufactures. But these, too, did not produce children; and depopulation was

therefore rapid even in the great cities. Slaves were used increasingly for the supply of private pleasures for the rich, or public entertainment, as in gladiatorial shows. The wars in the East had supplied not only slaves but loot of all kinds; and new tastes for luxury and abnormal practices. The whole of society, throughout the Roman world, for the four centuries before Alaric sacked Rome, was therefore changing from within.

When the wars in the East no longer supported the slave-trade on which the Roman system depended, other and very different slaves began to come in from the wars in Gaul and Britain, on the Rhine and the Danube. These northern slaves were not accustomed to the highly developed slave-system of the Mediterranean countries and the East. They came from the forests, not from captured cities and cultivated fields. They were strong in body and restless under subjection, but without an independent culture of their own. The Germanic or Gothic slaves had another characteristic which made them entirely different from the slaves of earlier times. They had a community of race, and perhaps even of language or dialects and physical resemblances which made it easy for their masters to feel that they were a class apart. At an earlier date the Roman Authorities had thought of imposing a common dress or uniform upon all slaves, in order to keep them in their place. But the plan was never adopted because it was feared that the uniform would show to the slaves themselves how greatly they outnumbered their masters. In the fifth century the slaves in Rome and other great cities were still indistinguishable in dress from the poorer freedmen and artisans. But the northern slaves, with their fair hair and skins and sturdy bearing, were all of the same type, and felt their own numbers to be considerable. The sense of power created sympathy. In all the great cities, therefore, in the early fifth century, there were thousands of household slaves who had no place in society, few rights against their masters, and no feeling of respect or responsibility for the system which held them in its toils, but were conscious of their own common character. The eagerness with which many of them in Gaul welcomed the opportunities for release afforded by the barbarian invasions, is sufficient proof that the slave-

system had a corroding influence in the Roman Empire. The thousands of slaves who flocked out of Rome to join the Goths under Alaric provide another indication of the desires of men and women who had no part in the society in which they lived. There was no slave-revolt or slave-war at that time. Nor can it be said that there was anything resembling a proletarian revolution. But the struggle for wealth and power which had continued in western Europe for more than two generations, since the establishment of military dictatorship as a system of government, now began to stir to its depths the ocean of dim feelings which are in the minds of the ignorant and oppressed.

An example of the general confusion is to be found in the activities of the gangs known as *Bagaudae* or *Bacaudae*. These were fugitive peasants, artisans and deserters from the army who robbed and plundered where they could, and as early as A.D. 285 had been so active that Maximian, Cæsar under Diocletian, had been compelled to lead his army against them. He overcame them in the spring of A.D. 286. But again in A.D. 450, Salvian describes the position of these *Bagaudae* as if they were in continuous revolt. He says that they have been driven into revolt by taxation and the injustice of officials, and that those who have been despoiled and injured have begun to act as barbarians, because they were not allowed to be Romans. They have been forced to defend at least their lives, because they saw that they had already altogether lost their liberty.<sup>1</sup>

### *The Rich*

In contrast with the slaves and the helpless population of poorer artisans and scattered peasantry, the rich, in all the great cities, were becoming more irresponsible and perhaps more complacent in their ignorance of the real situation. After the sack of Rome by Alaric, many fled to Africa; and St. Augustine reports that they seemed to be more interested in attending the theatres in Carthage than in news of the fate of Italy.<sup>2</sup> Those who had property in

<sup>1</sup> Salvian, *de Gub. Dei*, v, 6. Cf. Hodgkin, *Italy*, ii, 116.

<sup>2</sup> Aug., *de Civ. Dei*, i, 28.

Africa sought safety there, if they had sustained losses in Italy. They were, no doubt, not unlike the Irish landlords who had some property in England, to which they could retire during "the troubles" of 1920. For the majority of the richer landowners under the Roman system the preservation and enjoyment of their own personal riches was more important than any system of government. Similarly, about a generation later, Salvian describes the irresponsibility of the rich and their dependants who thronged to public entertainments in the Rhine country after their cities had been sacked.<sup>1</sup>

An account of a rich man's life during the barbarian invasion of Gaul is given in the *Eucharisticus*, by an unknown author who was the grandson of Ausonius, the rhetorician. The author wrote this "thanksgiving poem" in A.D. 459, when he was eighty-three; and he must therefore have been thirty-four years of age when Rome was sacked by Alaric. He had lived most of his life in or near Bordeaux, although he fled for a time from the Goths to Marseilles. He had a small estate at Marseilles and some property in Macedonia; but part of his wealth seems to have come to him, through his wife and father, in estates near Bordeaux. His life as a young man, before the Goths appeared, was precisely that of the wealthy in whose houses, as Salvian says, the slave-girls were merely unpaid prostitutes. The author of the *Eucharisticus* says of himself that he was prudent enough to check his passions by this rule:—to keep his reputation unstained by avoiding the affection of ladies, even though spontaneously offered, "but to be satisfied by servile amours in my own house; for I preferred to be guilty of a sin rather than of an offence in law, lest I might lose my good name. But I shall not be silent about this—one son I know was born to me at that time—though neither he then (since he soon died) nor any bastard of mine afterwards, was ever seen by me—when freedom might have more seriously injured me, if Thou, Christ, had not taken care of me."<sup>2</sup> Thus the good man is grateful to Christ for his complete irresponsibility with regard to his illegitimate children and their mothers. He goes on to describe how he then married a

<sup>1</sup> Salvian, *de Gub. Dei*, vi, 15.

<sup>2</sup> *Eucharisticus*, 164-175.

wife with property so that he was able to live in luxury, in "spacious apartments suited to meet the varying seasons of the year; table lavish, my servants many and young, the furniture abundant, and the plate valuable. My workmen skilled, my stables in the best condition, and stabling carriages."<sup>1</sup> And into this charming existence came the Gothic invasion! "And on me, above all, who had a second country in the East, in which I was an owner of great consequence, misfortune came . . . because my house, among all its luxuries, lacked only a Goth as a guest." This had the disastrous result that, because no personal influence protected it, "my house was given up to be pillaged by the retiring horde; for I know that certain of the Goths, most generously, strove to serve their hosts by protecting them."<sup>2</sup>

He proceeds to say how he then tried to make peace with the Goths, as many others prospered through their favour; and "when King Adolf commanded us to leave the city," the Goths stripped him of all his goods, and his house was burned. He was at Bazas when the Goths laid siege to it and tried to make terms for himself; and when the Goths quarrelled with their allies, the Alans, the siege was raised. He then thought of going to his estates in the East "where a large part of my mother's property still remained intact, and the extensive farms well manned by numerous serfs, though scattered, were not widely separated and even for a prodigal or careless lord might have furnished means abundant."<sup>3</sup> But he was unable to leave Gaul, mainly owing to his wife's unwillingness. He decided to become a monk—probably in order to avoid again the responsibility for a family. But, as he says, "through the counsel of the saints" (*consilio sanctorum*) he decided to live under a fixed rule and avoid "corrupt doctrines" (*dogmata prava*). His father had died during the first invasion of the Goths; and now his mother, his wife's mother and his wife also died. Two of his sons, one already a priest, having also died, he settled at Marsilles, "a city in which there were many saints dear to me, but only a small property, part of my family estate." He was reduced to poverty; but a Goth bought his small farm at Marselles and he retired to

<sup>1</sup> *Eucharisticus*, 205-212.

<sup>2</sup> *Ibid.*, 270-290.

<sup>3</sup> *Ibid.*, 413-419.

ive, apparently in dependence on a remaining wealthy son, at Bordeaux. The purpose of the whole poem is to thank Christ for having kept him alive and irresponsible for so many years!

The irresponsibility of the rich was not due to personal weakness but to the steady deterioration of their own security under the imperial Dictatorship. The struggle for power between Emperors and between higher officials of the Empire had no more obvious effect than the accumulation of wealth by those who were successful. Wealth, it seemed, could hire military force to defend those who could acquire and increase private fortunes. And those who were already rich might, by a private policy of appeasement, secure defenders and buy off marauders. But such a policy is doomed to failure when traditions are weakened and administration irregular. Even if, for a time, the rich can make armed men their servants, in the end these armed men will thrust the rich aside and divide the spoil among themselves. That has been the history of Fascism in Italy and of the Nazi Dictatorship in Germany; and it was the situation in the Roman Empire in the fifth century, wherever Rome had recruited its soldiers among the barbarians. A man of property in the cities, or one who held estates in agricultural areas, might any day become a victim of the cupidity of armed gangs or of those in control of the Empire or its provinces. But that is not the difficulty with which the documents of those days are most concerned.

The greatest pressure of the Roman system exerted upon the rich was the obligation to fulfil public functions as councillors (*curiales*) in the cities, and to supply troops from the men on their country estates. As the disturbances caused by invading hordes on the Rhine and in northern Italy increased, the demand for troops became more continuous. But, because the country-side in Italy, at least, and perhaps also in other parts of the Empire had been depopulated, it was found necessary by the imperial Authorities to call to service in their armies even artisans and slaves. No doubt, among the rich and educated in the early fifth century, a traditional admiration for the Roman Empire still continued to be felt. But

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the political situation in the West had been completely changed since Diocletian's division of the Empire and the establishment of the supreme power in Constantinople. The rich in the West, upon whom chiefly the burden rested of maintaining the system which protected their riches, gradually lost any sense of personal duty towards the oriental State. Indeed, the majority of them can hardly have had any knowledge of the intrigues and armed conflicts which decided who was to be their master.

The decrees which attempted to compel those who had municipal obligations (*curiales*), follow one another throughout the early fifth century. And each succeeding decree proves that those preceding it had been ineffectual. Men fled from taxation and the obligations of service, either, if they were rich enough, by obtaining entrance into the ranks of Senators of the Empire, or, if they had become impoverished, by seeking the protection of some powerful neighbour. Some descended far in the social scale and became workers on country estates, others joined the clergy.

The Emperors sought to compel those who had inherited obligations as *curiales* to return to their positions in the cities; because the diminution in the numbers of the city councillors always involved a decrease in public services and in the sources of taxation for the Empire; and, as the rescript of A.D. 341 says, "it is inconvenient for the State that the city councils should be weakened by not having enough members."<sup>1</sup> The whole of the first section of the twelfth book of the Theodosian law-books, consisting of one hundred and ninety-two rescripts or edicts, deals with city councillors (*curiales* or *decuriones*). The first imperial order is dated A.D. 313, and the last A.D. 436; and nearly all are concerned with preventing the members of municipal councils from escaping their obligations. One legal escape is allowed by a decree of A.D. 363, namely that the father of thirteen children may be freed from his civic obligations. The decrees of Honorius and Arcadius, the Emperors of the years 410 and 415, make it clear that the obligations

<sup>1</sup> *Cod. Theod.*, xii, i, 32 (Aug. 17th, A.D. 341). "Nam rei publicae incommodum est curias hominum paucitate languescere."



of *curiales* are to be enforced.<sup>1</sup> And in the *New Laws* of Majorian, a long decree of the year 458 continues the imperial complaint that the *curiales* are deserting their positions. This decree begins—"Curiales, as everyone knows, are the sinews of the State and the vitals of cities; and their council was rightly called of old a lesser Senate. But the injustice of officials, and the bribes paid to pliable tax-collectors, cause many to desert their native places, to despise the honour of their birth, and seek hiding-places on country estates, adding to their dishonour marriage with farm women and servant girls. So it comes about that the upper classes disappear in the cities; and some lose their status as free men by contact with the lower classes." These refugees are to be compelled to return to their duties as councillors; and "those who have tried to escape by joining the clergy, if they are still below the rank of deacon, should be forced back to their civil duties. . . . If, however, any of these is already a deacon, priest or bishop, he is to have no power of disposal over his property."<sup>2</sup>

The attempt to restrain the internal nomadism, which weakened the structure of the Empire, was based upon ideas of organization which were obsolete. The forces at work were too strong for imperial decrees to control them. The imperial Authorities tried to cure the symptoms of social dissolution without understanding their cause. But de-urbanization was inevitable in the general uncertainty of supplies and the decline of trade and agricultural production. The very forces which drove men "to hide on country estates" were in fact replacing the city civilization of the Roman Empire by the country civilization of the Middle Ages. The local community of an agricultural area was becoming the basis of a new social order.

The impoverishment of the cities, and therefore the undermining of the city civilization on which the Empire was based, was largely due to the pressure of taxation for the needs of the imperial system. But while some of the *curiales* were impoverished or driven to take refuge under the protection of more wealthy men, some were

<sup>1</sup> *Cod. Theod.*, xii, i, 178 (Jan. 21st, 415). "Omnes, qui curiali genere origine vel stirpe gignuntur, curiarum nexibus obligentur."

<sup>2</sup> *Nov. Majorian*, vii.

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increasing their wealth and entering the rank of imperial Senators. Imperial legislation obstructed this movement upwards.<sup>1</sup> But it is quite clear that, while the poor were becoming poorer, the rich were becoming much more powerful. Thus, the members of the senatorial body could escape taxation by pressure upon imperial officials, and even control in their own interests the administration of justice. The "powerful" (*potentes*) could protect their dependants, as local lords could in the Middle Ages. The laws provide against attempts of "the powerful" to escape jurisdiction;<sup>2</sup> and forbid them to sit on the bench with the judge.<sup>3</sup> But evidently the same sort of pressure was being exerted by the rich landowner as that which continued well into the nineteenth century in England by the authority of justices of the peace. Again, the rich, seeking refuge themselves from the disturbances of the times, sometimes fortified their buildings in the country, and paid retainers who could defend them. They were thus helping to undermine the centralization of authority in the Roman Empire and, almost unconsciously, establishing independent local governments. Within the structure of the single, universal Empire they were planting the seeds of medieval lordships.

Of the rich in the towns, there is evidence, fifty years before Alaric sacked Rome, in the account given by Ammianus Marcellinus of the ostentation and the crowds of slaves by which the wealthy were surrounded.<sup>4</sup> Olympiodorus says that in Rome at the time of Alaric's invasion, the houses of the rich were like towns in themselves, with their baths and entertainment halls.<sup>5</sup> And from St. Jerome's letters we learn that the appetite for wealth and ostentation was to be found, not only among Christian ladies with jewelled prayer books, but even, as he says, in his own order—that is among the clergy. He wrote a bitter description of a deacon in Rome, carefully groomed and affected in his movements, who haunted

<sup>1</sup> *Cod. Theod.*, xii, i, 171 (A.D. 409). "Principales viri"—not allowed to leave their order until five years service is completed.

<sup>2</sup> *Ibid.*, i, 16, 4 (A.D. 328, Constantine). Si quis potiorum. . .

<sup>3</sup> *Ibid.*, i, 20, 1 (A.D. 408, Honorius). Honorati . . . residendi cum iudice non habeant facultatem.

<sup>4</sup> Amm. Marcell., *Hist.*, xxviii, 4.

<sup>5</sup> Olymp., *ap. Phot. Myriobiblion*, Pat. *Graec.* vol. 103, col. 278.

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the houses of rich ladies.<sup>1</sup> Thus we have, on the one hand, an increasingly powerful rich class of landowners on country estates, and an increasingly irresponsible and idle body of rich men and women in the cities. The appetite for private power among some rich men and the irresponsibility of others were potent causes of the ruin of the system from which they derived advantage.

### *The Barbarians*

Into this old Roman world, hardly able to control the forces within its own borders, came the barbarians of the Germanic tribes, east of the Rhine and north of the Danube. The armed men under chieftains, who thus disturbed the communities of the Roman Empire, were themselves without settled homes, without roots in the soil, and without interest in the common labour which is the source of wealth, because they thought they could procure wealth more easily by plunder. To men of the older tradition the Goths seemed fitter to be slaves for sale than warriors. The Emperor Julian, in the year 363, when "his intimates tried to persuade him to attack the neighbouring Goths who were often deceitful and treacherous, replied that he was looking for a better enemy, and that the slave-traders could look after the Goths whom they offered for sale everywhere without distinction of rank."<sup>2</sup> And yet Goths and members of other savage tribes were not only recruited in bands under their leaders into the Roman forces, but as individuals often rose to important positions in the army and at Court. Such men had no real understanding of the old Roman tradition. There was always therefore the danger of treachery when a Roman army, including officers from among the tribes they were fighting, was in close contact with these tribes. In A.D. 354, for example, when the Emperor Constantius was on the Rhine, a guide was bribed to show him a ford "and the army might have crossed, had not a few men of that same race, who held military positions of high rank, informed their countrymen of the design, by secret messengers, as some thought. Suspicion fell upon Latimus, count

<sup>1</sup> Jerome, *Ep.*, 22, c. 28. Rufinus declares, however, that Jerome was unfair to the clergy.

<sup>2</sup> Amm. Marcell., *Hist.*, xxii, 7, 8.

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of the bodyguard, Agilo, tribune of the stables, and Scudilo, commander of the Targeteers, who were then highly regarded as having in their hands the defence of the State."<sup>1</sup>

The situation had become even more difficult by the end of the fourth century. That armed men, hired to defend the rich and the Roman system by which millions were held under the control of the rich, should make common cause with those of their own race who were slaves in Roman households, was but a natural development. This danger to society had been foreseen. Synesius, in his treatise on "The Supreme Power," had proposed the exclusion of non-Romans from political and military positions of influence, and had pointed out the danger of sympathy between men of the same race acting both as slaves and as soldiers. His treatise, in the form of a speech, was published in Constantinople about A.D. 400, and was addressed to the Emperor Arcadius.<sup>2</sup> He writes:—

First, let all be excluded from magistracies, and kept away from the privileges of the council, who are ashamed of all that has been sacred to the Romans from olden times, and has been so esteemed. Of a truth both Themis herself sacred to the Senate, and the god of our battle lore, must, I think, cover their faces when the man with leathern jerkin marches in command of those that wear the general's cloak, and whenever such an one divests himself of the sheepskin in which he was clad, to assume the toga, and enters the council chamber to deliberate on matters of State with the Roman magistrates, having a prominent seat perhaps next the consul, while the lawful men sit behind him. Then again, such as these, when they have gone a little way from the assembly, are again attired in their sheepskins, and once in company of their fellows, laugh the toga to scorn, and aver that they cannot even draw the sword in comfort with it. For my part I wonder at many other things, but not least at this over-absurd conduct. All this is in the face of the fact that every house, however humble, has a Scythian for a slave.<sup>3</sup> The butler, the cook, the water-carrier, all are Scythians, and as to retinue, the slaves who bend under the burden of the low couches on their shoulders that their masters may recline in the streets, these are all Scythians also; for it has been proved of old that theirs is the most useful race, and the fittest to serve the Romans. But that these fair-haired

<sup>1</sup> Amm. Marcell., *Hist.*, xiv, 10, 7, 8.

<sup>2</sup> See Bury's Appendix, p. 482, in Gibbon, vol. iii (ed. 1897).

<sup>3</sup> "Scythian" is the common name in Greek for "Goth."

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men who arrange their locks like the Ereboeans should be slaves in private to the same men whom they govern in public, this is strange, and perhaps the most incredible feature of the spectacle; and I know not what sort of a thing the so-called "riddle" may be, if this is not one. In Gaul, Crixus and Spartacus practised the calling of arms in dishonour, in order to become the victims of the Roman populace in the arena; but, when they accepted and bore a grudge against the laws, they engaged in the so-called slave-war which became the most calamitous campaign of those which the Romans of that time encountered. Against these slaves they had every need of consuls, of praetors, and of the happy fortune of Pompey; for their city was nearly ravaged off the face of the earth. And yet those who revolted along with the Spartacus and Crixus, were not of the same race as they, nor of the same race as each other. Notwithstanding this, the fate which they shared in common furnished them with a pretext and made them of the same mind. It is, I suppose, in the nature of things that every slave is the enemy of his master once he has hopes of overcoming him. Is the case then the same with us also? Are we nourishing on an altogether greater scale the germs of untoward troubles? Remember that in our case there are not only two men, and those dishonoured individuals, heading a rebellion; but great pernicious armies, who, kinsmen of our own slaves, have by evil destiny poured into the Roman Empire and furnished generals of great repute both amongst themselves and amongst us. . . .<sup>1</sup>

The barbarians, both as soldiers under the Roman Empire, and as invaders, were divided into many different tribes under separate leaders. Some indeed had been induced to settle on empty lands within the Roman Empire. But the majority of the raiders who wandered about Gaul and Spain, and eventually reached Africa, were nomadic by inclination. They lived by loot and they destroyed what they could not steal. Some might take service for a time under a provincial leader or a Roman official; but they had no desire to enter into the productive system; for clearly that system still depended upon slavery; and slavery the barbarians would not accept, unless they had been overwhelmingly defeated.

The entry into the Roman system of this destructive force gradually reduced available supplies in agriculture and trade, and had an immediate effect, both in making poverty more widespread and in depopulation. In addition, all the barbarian tribes

<sup>1</sup> Synesius, *On Kingship*, trans. Fitzgerald, p. 135.

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aimed chiefly at increasing their own wealth; and all were therefore open to bribery. They would serve any master; and each armed band could be bought and used to fight against other barbarians.<sup>1</sup> They were treacherous, drunken and violent in their passions; and even Salvian, who contrasts them favourably in some respects with those in control of the Roman system, writes that "the Saxons are savage, the Franks treacherous, the Gepids inhuman, the Huns lustful; and indeed the life of all the barbarian tribes is one long vice."<sup>2</sup>

Clearly the noble savage is a romantic myth. The Germanic and other barbarians who entered the Roman Empire either as soldiers for pay or as raiders for loot, were not more trustworthy or high-minded or chaste than the civilized populations over which they obtained control. But personal virtues or good intentions are of no importance for the argument here. It is useless to discuss whether the barbarians were more or less virtuous individually. The important point is that they did not understand, and therefore could not maintain or reform the complicated social system of the Roman Empire. Their simpler experience gave them no insight into the problems of social justice; and although some of them were trained as soldiers in the Roman armies, they had no knowledge of commerce, transport, law or civil administration. Their entry into the Empire therefore was inevitably disruptive.

### *General Character of the Early Fifth Century*

From one point of view, the situation in the western parts of the Roman Empire in the first half of the fifth century was that of a society in dissolution. Everyone who could was saving himself. Those who had nothing to lose welcomed the control of any master who could offer them security. And the general decrease in the resources of civilized life spread a sense of futility over the normal interests of men. All this made it easy for the majority to accept, when they thought at all, the Christian conception that the whole world was soon to pass away. Clearly something more than

<sup>1</sup> Amm. Marcell., *Hist.*, xv, 530: fluxioris fidei et ubertate mercedis ad momentum omne versabiles.

<sup>2</sup> Salv., *de Gub. Dei*, iv. 41.

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individual life was ending. Those who survived the widespread ruin could feel only anxiety for their fate and hope that their terrors would soon be removed. On the other hand, food and clothing and shelter were still worth working for, if they could be had. And, as at all times, the more energetic men and women managed to collect a certain amount of goods and services for their own advantage.

But while in theory, and perhaps in the belief of the majority the last age had come, and the Last Judgement was soon to occur, almost unconsciously the people of the fifth century were laying the foundations of a new social and political system—that of the European Middle Ages. Their Churches and kingdoms in the fifth century were not intended to survive for long. They were at the end of time, as far as they could tell; and yet they established the foundations of customs and beliefs which endured for more than a thousand years.

Looked at more closely, the changes which seem to be signs of dissolution can be seen to have had in them, even in the early fifth century, traces of new associations, new groupings, new moral ideals and new social institutions which were to become the established commonplaces of later centuries. In the first place, the struggle between Paganism and Christianity already showed in the fifth century that Christianity in the Churches was the only possible basis for a community in which all classes of society could work together. The traditional Paganism was, on the one hand, an upper-class survival and, on the other, a mere remnant of local rituals, different in every place and dividing rather than uniting the Roman world. But Christianity had a firmly established organization of its own, based upon the power of the bishops and uniting men and women of all classes and races. Here then were the first signs of the medieval Church.

Secondly, the supply of slaves was gradually decreasing; and the poor who had found no roots in the Roman system, were gradually establishing themselves as dependants with rights of their own on the estates of the rich and the powerful. Local lordships, at first Roman in origin, and later under barbarian control, were taking

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the place of the old imperial system. And the local lord served his own dependants as a ruler and judge and organizer of mutual defence against marauding bands or against powerful neighbours. These local lordships no longer looked to the imperial Court, either for actual power or moral prestige. And the fact that the lords of the land and the bishops of important cities could act both as protectors and judges of their people supported the general tendency towards a localization of authority. If it is noted further that the local lordships tended to become hereditary, with the inheritance of property, this may be taken as a forecast of the medieval system, known later as feudal. Finally, the wandering bands of armed men, taking service eventually under this or that king or duke—the barbarians organized in a primitive military system—were the forerunners of the knights and armed retainers of medieval dukes and kings. Thus the history of the fifth century is by no means only one of dissolution. If there is decay, it is the decay of a seed already beginning to throw out roots which will later support a great tree.

### *The Climate of Opinion*

But the seeds would not have grown unless the soil of established custom had been ploughed up by material disasters and distresses in the minds of men. The sense of helplessness which was prevalent in western Europe in the early fifth century undermined that confidence in the established order which was the chief obstacle to the creation of a new system of civilization. But the feeling that one has no part to play in a tragedy which involves one's own house is not necessarily due to moral inertia or a failure of nerve. Indeed the divisions and disorders within the Roman Empire prove that great numbers of men and women were unwilling to make the effort required for the maintenance of the old order, not because they were not good enough to fulfil their civic duties, but because they were too good to be satisfied with a system from which so few derived benefit.

The mind of the time was uprooted—*déraciné*: it had become nomadic. A poet, quoted above, sang that exile was no evil,



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because the whole world was a single house; and the historian, Orosius, wrote that everywhere he went he was at home. Again, while the minds of men were freed from the restrictions of time and place, those who thought and felt deeply about the events of their day were in disagreement. Each sect among the Christians, each party among the pagans, went its own way; and so uncertain was the future, that the chief interest of poets and preachers was to discover some method by which they could acquire again the certainty of expectation which the collapse of the social system had destroyed. In a world which seemed to be united only by the over-arching sky, all agreed to look upward. Some held that the future could be discovered from the study of the stars; and even some Christians—the followers of Priscillian—seemed to have been affected by this desire to discover a fixed law governing events. Others, also looking upwards, found there a personal Will which decided the issue; and these had the advantage over the star-gazers in their conviction that the fundamental issue was the conflict between good and evil. On the other hand, the disadvantage of a belief in a personal Will, as the chief cause of historical events, is that such a belief involves blind trust in what appear to be arbitrary decisions. The star-gazers were looking for a general law, not an imperial Decree. But the doubt about the future for the individual and the race at least set the mind free from the assumptions of the old order. The mind must become nomadic in order to search for a new settlement.

The dominant belief, however, by the middle of the fifth century was that the end of all things was near. The sudden death of thousands in war or in the famines following upon war, and the increased likelihood of premature death for each, made the end of individual life seem to be evidence of the near approach of the destruction of the universe. But this was an emotional reaction, not a rational conclusion. The death of individuals, and even the disappearance of nations, is no proof of the mortality of the race; and the failure of one system of civilization provides no evidence for the belief that civilization itself is in danger. But the belief that the end of all things is at hand has the great advantage of releasing the

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minds of men from too great a dependence upon the customs and beliefs of an established order. Even the faith, so vigorously expressed by St. Augustine, that there was a permanent existence in another world beyond the sky and beneath the earth, brought comfort to men and women who had been brought up to believe that the Roman Empire was eternal and saw it collapsing under their eyes. Thus the other-worldliness, by which the early Middle Ages were dominated, was itself an imaginative preconception which proved in practice useful for the creation of new institutions. These replaced the social system of the ancient world and provided the foundations for the First Europe.

Medieval institutions were established almost "in a fit of absence of mind," while what was permanent and eternal was transferred in the imagination from the universal Empire to the Kingdom in the skies. At any rate, the illusion of eternity was no longer applied to the Roman Empire. *Roma aeterna* became *Roma caelestis*: the eternal City of this world became the Heavenly City. And the practical problems of man on earth became for the imagination what they actually are—transitional adjustments to a changing situation. The disappearance of the belief in the eternity of the Roman system left men free to make social experiments. But unfortunately for them, and for later ages, the ghost of the Empire still survived in the magic of the name of Rome.

## CHAPTER III

### DECLINE OF MORAL AUTHORITY

The "Glory of the Romans," inscribed upon Roman coins, was derived partly from successful wars, partly from the moral authority of a system of law and public services. Power may be an instrument of moral authority, but cannot provide a substitute for it. Victory alone serves only to blind the victors and to paralyse their victims. Therefore, those who hold power by force of arms inevitably seek the support of moral and religious influences.

The fraud, the greed, the murderous violence by which Roman conquests were achieved, were forgotten when those who resisted were dead and those who yielded were enslaved. And when the Roman Republic, unable to control its treacherous and avaricious governors, passed from party politics to civil wars and bloody riots in Rome itself, the oligarchy of senators was eventually replaced by a military dictatorship. Julius Caesar is said to have secured a million slaves as the proceeds of adventure in Gaul; and he himself wrote a carefully falsified account of what he had done. He went to Gaul for loot, and not for the advancement of civilized life. The bitter comment of his contemporary, Cicero, brings out the contrast: "So long as our government depended, not upon injustice and violence, but upon service and kindness, wars were waged to protect our allies or defend our honour; and their results were accompanied by mercy, or at least by no more force than was needed. . . . This city was not then the Empress, but the protector of the world. . . . Now there has come one after Sulla (Cicero does not name Julius Caesar) whose cause was impious and his victory scandalous and inhuman."<sup>1</sup> But the influence of unknown men who did not aim only at private wealth and personal power,

<sup>1</sup> Cicero, *Off.*, ii, 8.

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covered the tracks of blood and tears where Caesar had slaughtered men and burnt their poor homes. In the same way, in modern times, the first English who went to Africa took slaves to sell in the West Indies; but a later generation established a form of justice and liberty among the populations whom the slave traders had almost destroyed.<sup>1</sup>

Augustus began the establishment of a new Roman Empire upon the ruins left by civil wars; and mythology, in poetry and history, was enlisted to adorn the unseemly facts upon which the system rested. Under Augustus, Virgil appealed to the traditional religion; and Livy set himself to make propaganda, disguised as history, for the idea that Roman conquests made amends by their results for the looting and slaughter and treachery which were the means of obtaining victory. The falsification of history served to justify military dictatorship in the early years of the Christian era; and it has been used many times since, for example, by Machiavelli and his followers, to hide the ugly facts of the slave-system and the exploitation of the poor, which were the real bases of Roman peace.

The Roman Empire was not worse than the many other Empires which had preceded it. All had been formed by foreign conquest, undertaken for the sake of obtaining slaves and other loot. And all had been based upon the exploitation of the great majority of men and women by a few leaders of ability. Slavery, no doubt, is a step forward from the primitive slaughter of conquered peoples, such as the Hebrews are reported in their sacred books to have practised in their conquest of Palestine. But slavery itself was an insecure basis for production and the arts, because it assumed that great numbers of men and women can be treated as cattle; and it always had disastrous effects upon the moral stamina of those who maintained it. It must not be imagined, however, that the tribes which were conquered and enslaved by the Romans were any better morally or in their social institutions than their conquerors.

<sup>1</sup> In the days of the Republic Paulus Aemilius sold one hundred and fifty thousand slaves taken in Epirus, and Marius the same number, taken in Gaul. Augustus took forty-four thousand slaves after one campaign. And ninety-nine thousand Jews were sold as slaves after the sack of Jerusalem by Titus. See Wallon, *Histoire de l'Esclavage*, ii, 33 sq.

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The use of armed force for the sake of obtaining loot and cheap labour was common among all peoples: the more efficient in the application of force and fraud were the more successful.

The civilizations which have arisen in slave societies have all disappeared. The Roman was the last of them in western Europe. But for many centuries the Roman Empire was, like others before it, an instrument of order in law and administration, and of certain forms of social justice. Its extent was great enough to bring together many diverse tribes, religions and types of culture; and for this reason, whatever the character of the forces which brought it into existence, and however unstable the foundations upon which it rested, the Roman Empire, during the first four centuries of the Christian era, maintained and developed a new form of civilized life. Great advances were made in the technique of agriculture and building. Social institutions were adjusted to meet the needs of a more humane and peaceful community. Roman peace gave security to large areas against invasion, and provided against violence and other crimes within its borders. The sufferings of slaves were reduced by law and administration, under the influence of Greek philosophy, when the great Roman jurists accepted the Stoics' teaching that slavery itself was not natural to man. And in the three centuries after Augustus civil wars, arising out of the impossibility of finding a rule of succession in a dictatorship, sometimes disturbed, but did not destroy, the commerce and intellectual intercourse of Roman civilization.

In the four centuries between Augustus and Alaric, the military dictatorship went through many changes. Soon after the death of Augustus the "secret" was discovered that an Emperor could be made elsewhere than at Rome by any band of soldiers reckless enough to make their favourite a candidate for the purple;<sup>1</sup> and for three centuries all attempts failed to solve the problem which is fundamental in dictatorships—the problem of succession. At one time the dictator would look round to find some competent person to succeed him, whom he could adopt; at another the dictator

<sup>1</sup> *Evolgato imperii arcano, posse principem alibi quam Romae fieri. Tacitus, Histories, i, 4.*

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would try to pass on his power to his son. But the struggle for supreme power was always a struggle between small groups of armed men; and the majority of those who called themselves Roman citizens throughout the Empire, after the first century had neither interest nor influence in the choice of a ruler.

But the possession of power (*vis*), of which the Roman Empire had enough, was long recognized to be less important than the exercise of moral authority (*auctoritas*); and different methods were adopted during the four centuries after Augustus for the maintenance and increase of this authority. In a very summary form, three stages may be distinguished in the methods by which the Roman Emperors before the fifth century endeavoured to fortify their moral authority. First, under Augustus and his immediate successors, the great civil wars were still so recent that dictatorship could be supported as the only practical method of maintaining peace. The *Pax Romana* meant not merely security against invasion but also peace among the Romans themselves. Again, the prestige of the old order was, in theory, transferred to Augustus as *Princeps*; and the moral authority of the Senate was supposed to be concentrated in the hands of the Emperor. The ancient rites of Roman religion, connected with a community of peasants, were revived—perhaps in order to protect the authority of the Roman tradition from the danger of Orientalism.<sup>1</sup>

The second stage is marked by the efforts of the Antonines to infuse Greek, and especially Stoic, philosophy into the spirit of the Roman Empire. In this period the Emperor derived moral authority from the fact that he was a single and universal providence (*providentia*) in a cosmopolitan society. The principles of Roman jurisprudence in this period were given that appearance of universal application which has made it possible for Roman Law to survive the Roman Empire. But already moral authority was sought outside the Roman tradition; and the later Emperors of this period played with the possibility of reinforcing their moral authority by the use of Oriental religions.

<sup>1</sup> Under Augustus the worship of the Ruler as divine was deliberately begun, especially in the Provinces. See Beurlier, *Le Culte Impérial* (1891).

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The third stage was reached under Diocletian, who was Emperor from A.D. 284 to A.D. 305. The Roman Empire then openly turned to the East for a mystical and moral reinforcement of its authority as a system of government. Diocletian seems to have hoped to establish an imperial Monotheism, using sun-worship, which had become widespread especially in the army under the influence of the religion of Mithras. The Emperor himself withdrew from the public gaze; and forms of Oriental ruler-worship took the place of the carefully considered simplicity of Augustus and the Antonines. From this point of view the policy of Constantine the Great in seeking the support of the Christian Churches merely transferred the source of moral authority for the Roman Empire from one Oriental religion to another. But the results of this transference proved to be revolutionary. The Emperor soon became involved in theological controversies; and although there was an anti-Christian reaction under Julian, and a tendency to support Arianism under other Emperors, by the beginning of the fifth century the moral authority of the Empire definitely depended upon "Orthodox" or "Catholic" Christianity. The Emperors were no longer "divine" in the old sense; but they reflected, in their own persons, the authority of Christ over law and government and, therefore, they had what was called in later ages divine right.

The attempt to give moral prestige to imperial authority by the use of religion was begun quite consciously under Augustus. The name "Augustus" was chosen, as Suetonius reports, by Octavianus, the nephew and heir of Julius Caesar, for its associations with augury, and as an alternative to the name "Romulus"; because, although Octavianus felt himself to be a new founder of Rome, he preferred a more impressive name than that of the first founder.<sup>1</sup> The name

<sup>1</sup> Suetonius: *Lives of Caesars, Augustus*, c. vii. *Infanti cognomen Thurino inditum est, in memoriam maiorum originis: vel . . . Postea C. Caesaris, et deinde Augusti cognomen adsumsit: alterum, testamento maioris avunculi: alterum, Munatii Planci sententia: cum, quibusdam censentibus Romulum adpellari oportere, quasi et ipsum conditorem urbis, praevaluisse, ut Augustus potius vocaretur, non tantum novo, sed etiam ampliore cognomine, quod loca quoque religiosa, et in quibus augurato quid consecratur, augusta dicantur, ab auctu, vel ab avium gestu, gustuve, sicut etiam Ennius docet, scribens—*

Augusto augurio postquam incluta condita Roma est.

The *Mirabilia Romae*, a guide-book to the city of Rome, which was used in the early twelfth century, has another derivation. It says that "Augustus" is derived from "augere"—because Augustus "increased the Empire"!

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"Augustus" continued throughout the centuries that followed to be the chief title of a reigning emperor. The edicts and letters of Emperors in the law-books of Theodosius and Justinian all begin by giving the title "Augustus" after the personal name of the emperor, without the word "Imperator." But even as late as the fourth century "Augustus" remained something more than a title. It was an adjective implying reverence, as in the thanksgiving of Ausonius, addressed to the Emperor Gratian, where Gratian is addressed as "Imperator Auguste" and "Auguste Iuvenis" and again as "Augustus Sanctitate."

A further expression of the nature of the prestige in the supreme authority is to be found in the use of such words as *providentia*, *clementia*, and *serenitas* to express the function which the Emperor performed in the Roman world.<sup>1</sup> He was the "providence," foresight or care, to which all his subjects were taught to look. He had the position of a divine providence. On inscriptions and on coins the imperial authority was thus held up to its subjects as a power of beneficence in all parts of the known world. That power was personal; and it was the power of one man,—never in practice a woman, until the early fifth century under Galla Placidia. And as the man was traditionally "divus" or divine, his associations with the celestial Powers were obviously much closer than those of ordinary mortals. The moral authority of the Emperor, therefore, and of the imperial system, was due in part to religious or philosophical conceptions, consciously used by the holders of power for maintaining their control.

The clearest sign of the connection of the Emperor with the celestial Powers is the nimbus or halo, which was later used in representations of Christ and later still in those of the Saints. The nimbus represents the sun. It belonged originally to the sun-god (*sol invictus*); and its use in representations of the Emperor is connected with early attempts to introduce Monotheism by means of sun-worship. There are coins and medallions still surviving which

<sup>1</sup> Charlesworth, *Harvard Theological Review*, xxix, 1936. *Providentia* and *Aeternitas* and H.T.R., xxviii, 1935, *Ruler-Cult*. Also *The Virtues of a Roman Emperor*, Brit. Acad., 1937, for "*clementia*" and "*pietas*."



show the Emperor Antoninus Pius (A.D. 138-161) wearing a radiate nimbus.<sup>1</sup> After Diocletian this becomes more common. There are medallions showing the nimbus round the heads of the Emperor Constantine the Great, his wife Fausta,<sup>2</sup> Constantius, Constans, Valentinian I, Valens, Theodosius I, Arcadius, Honorius and Galla Placidia. The inscription *Gloria Romanorum* on some of these medallions and coins is clearly connected with the nimbus.

When the Empire became officially Christian, the worship of the Emperor ceased; and the nimbus was used in representations of Christ. The earliest known example of a saint represented with a nimbus is St. Lawrence on the tomb of Galla Placidia of about A.D. 450. In the mosaic of about A.D. 526 in the Church of SS. Cosmas and Damian in Rome, Christ "in glory" has a nimbus; but not St. Peter or St. Paul.<sup>3</sup> The nimbus still remained a sign of imperial majesty in the mosaics of Justinian and Theodora of about A.D. 547, in the church now called S. Vitale in Ravenna. But, by about A.D. 550, all the saints on the walls of Sant' Apollinare Nuovo wear the nimbus. The moral authority directly held by the Emperor in the fourth century had been transferred to Christ and the communion of saints by the middle of the sixth century. The sign of the sun-god now therefore belonged properly to Christ, who, in the hymn of Saint Ambrose, is "the true Sun."<sup>4</sup>

### *What is moral authority?*

For four centuries a certain moral authority survived in the dictator of the moment, his representatives in the Empire and the institutions which held together in one community the peoples of many different races and languages in the Roman world. Moral authority, in this sense, is the influence which keeps most men's

<sup>1</sup> I am indebted to Miss Jocelyn Toynbee for all the details about the use of the nimbus. There is an altar, in the Capitoline Museum, Rome, of the third century, dedicated to Sol Sanctissimus, on which the sun-god is represented wearing the radiate nimbus.

<sup>2</sup> On the reverse of a gold medallion Fausta Augusta, wearing a halo, is seated on a throne holding a baby on her lap and surrounded by female figures and genii.

<sup>3</sup> See illustration facing page 224.

<sup>4</sup> "Diem, dies illuminans verusque sol, illabere."

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actions within the limits of established custom, even when there is no external force operating upon them. This moral authority is embodied in the *mana*, or magic power, which resides in the priests and kings of primitive society. It is the force which binds men together under law; and whether based upon ignorance and superstition or upon a clear perception of moral values, it is the fundamental basis without which no system of government can stand. The success of Roman arms had, no doubt, contributed something to the moral authority of the imperial system, because simple men always imagine that God is on the winning side. The very fact of victory, therefore, even when obtained by treachery and murder, gives the sort of blessing to established Power which provides a primitive form of moral authority. When victory follows upon victory and the area and population increase over which the victors hold sway, the original belief that something more than human is on their side seems to receive confirmation. Occasional defeats and internal disorder are readily believed to be signs of divine displeasure; but the survival of the system itself, even after disaster and in spite of the obvious villainy in its representatives, seems to prove all the more forcibly that it is eternal.

Rome itself and, in its name, the Roman Empire, at the beginning of the fifth century, were believed to be "eternal" by everyone at that time who thought at all on such subjects. In four centuries the Roman Empire had become, for its victims and still more obviously for its beneficiaries, a part of the nature of things. Whether Fate or Fortune or the Gods or Rome itself, worshipped as a Goddess, was believed to be the cause of this eternity, no one really doubted that the history of human institutions had reached its final phase. Even the Christian writers of the fourth and earlier centuries thought of the Roman system as the last before the final dissolution of the world. The Christians had at first hoped for the destruction of the "new Babylon," which persecuted the Churches, before the final establishment of the Kingdom of God. And after the acceptance of imperial support by Christianity in the fourth century, all Christian writers agreed that no other form of political authority would exist on earth before the Last Judgement. As Lactantius

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wrote: "The problem itself shows that the fall and ruin of the world will shortly take place; except that while the city of Rome remains it appears that nothing of this kind is to be feared. But when that capital of the world shall have fallen, and shall have been set afire, which the Sibyls say shall come to pass, who can doubt that the end has now arrived for the affairs of men and the whole world: It is that city, that only, which still sustains all things; and the God of heaven is to be entreated by us and implored—if, indeed, his designs and decrees can be delayed—lest, sooner than we think, that detestable tyrant should come who will undertake so great a deed, and dig out that eye, by the destruction of which the world itself is about to fall."<sup>1</sup>

The very fact that the Roman system was believed to be either eternal or the last of all the ages, gave it a certain "sanctity." The word *sanctus* includes both a reference to magic powers and reference to moral authority. Thus from very early times a tribune or other public Authority was referred to as *sanctus*; and in later times the Emperor is addressed as *sanctissimus Imperator*.<sup>2</sup> Established public Authority, whatever its origin in fraud or violence, was regarded as, in some sense, divinely appointed; and therefore when Constantine accepted the assistance of the Christian Churches, no change was necessary in the traditional conceptions either of the old religions or of Christianity, in order to give him the prestige of divine authority.

For centuries the Roman Emperors had claimed to be themselves divine and, at death at least, to become actually Gods. They shared the worship directed towards the system under the title of the Goddess Rome herself. Deification of former Emperors reflected light upon the soldier who, having given sufficient bribes to his troops, could call himself Emperor, or upon the feeble descendant of some strong man. And yet the road to deification for many of the Emperors was death at the hands of their successors. The man who was treated as a God after his death had in fact often succumbed to something very different from worship. "In some instances a timely dose of poison or a judicious arrangement of the bed-clothes

<sup>1</sup> Lactantius, *Div. Instit.*, vii, 25.

<sup>2</sup> Pliny to Trajan: *Sanctissime Imperator*.

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over the mouth had hastened his departure from a world in which his presence was no longer convenient.”<sup>1</sup>

The word *sanctus* continued to be used, even under the Christian Emperors, to indicate the prestige or moral authority of an established order; and in the fifth century it had only just begun to imply that moral quality now suggested by the word “holy.” The “Imperium Romanum” was *sanctum*, as the Emperor was *Sanctissimus*, long before the foundation of the so-called Holy Roman Empire. Gregory the Great at the end of the sixth century used the phrase “Holy Empire”;<sup>2</sup> but the word *sanctum* expressed the moral authority of an established order rather than moral excellence in the modern sense. The Christian saints were originally called *beati* and not *sancti*; and holy men during their lifetime were referred to as *beatissimi*, although spiritual advisers having moral authority were sometimes called *sancti*.<sup>3</sup> The sacredness of imperial Authority at the beginning of the fifth century is expressed in the titles used for themselves by the Emperors in their decrees. These titles are generally either “our clemency” (as in an edict of A.D. 402) or “my eternity” (as in an edict of A.D. 405).<sup>4</sup> Everything connected with the Emperor is “sacred” (*sacrum*). The central office of the Empire is the “*sacrum palatium*”; control is in the hands of the “Controller of the sacred bedroom” (*Primicerius sacri cubiculi*); and the finance minister is “Count of the Sacred Largesses.”<sup>5</sup>

Thus by an elaborate use of language with religious and traditional flavour, the military dictator was raised above the forces of criticism or discontent and was generally accepted as part of the natural or divine order of things. And thus the source of authority, which had, however vaguely, been felt in earlier times to be the choice or consent of the Roman people, was now believed to come directly from heaven. The change which had been skilfully designed by Augustus to undermine possible opposition among the older

<sup>1</sup> Hodgkin, *Italy*, i, p. 203.      <sup>2</sup> *Greg. Mag. Ep.*, v, 38. *M.G.H., Sanctum Imperium.*

<sup>3</sup> As in the *Eucharisticus*, see above, Chapter ii. For the use of the word *Sanctus*, see H. Delahaye, “*Sanctus*.”      <sup>4</sup> *Cod. Theod.*, xxiv, 17, 14, and xii, 1, 160.

<sup>5</sup> As in the *Notitia Dignitatum Romani Imperii*. This is a list of officials of the Empire in the East and the West, of which the existing versions probably date from about A.D. 400 with additions of later date.

families of Rome by connecting him with early Roman religion, began after Constantine to operate in favour of the conception of public authority which was common among the bishops of the Christian Churches. The divine right of whatever military dictator contrived to seize imperial authority rested ultimately upon the popular conception that the Emperor was indeed divine and that his Empire was sacred or holy. And the immense prestige of the established system in all parts of the Empire, derived from its association with the overarching heavens, was more than enough to hide from the beneficiaries, and even from its victims, the slavery, oppression and impoverishment of the majority which were among its essential characteristics.

So far the titles and the prestige of Roman Emperors might seem to be derived from the tradition of the early successors of Augustus and therefore of Rome itself. But clearly some eastern influence had already begun to affect the conception of authority within the Roman system long before Constantine. Diocletian was the first to introduce into the practice and conception of the supreme authority a frankly Oriental costume and ritual. The change that he brought upon the Roman system had two aspects. On the one hand he improved the centralized administration; and on the other, he increased the prestige or magic power of the Emperor by aloofness from the old Roman traditions and by the introduction of an Oriental pageantry at his Court. This same movement away from Roman traditions still reminiscent of the Republic, was continued and established as a permanent method of government by Constantine. When Constantine acknowledged, according to the traditional story, that his final overthrow of his rivals in the struggle for supreme power was due to the Christian religion—*Hoc signo vinces*—he added a new prestige to the old. From his time, as Orosius said, all Roman Emperors except Julian were Christian.<sup>1</sup>

No system of government, however, can derive all its moral authority from the magic of success or the glamour of ceremonies, titles and ostentatious wealth. Every established system derives part of its moral authority from the fact that those who submit to it

<sup>1</sup> Orosius, *Hist.*, vii, 28, 2.

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derive some benefit from their submission. It is a modern conception that government should be carried on chiefly for the sake of the governed, a conception indeed partly due to the influence of Christianity in the Middle Ages. But at all times it has been felt that the ruler should provide some benefits for his subjects. And these benefits were undoubtedly enjoyed throughout the Roman Empire, at least until the fifth century. Aelius Aristides praised the Roman system under the Antonines for benefits which are still recognized to have been very great; and although the millions of slaves and impoverished artisans and peasants in all parts of the Empire could not read or write, and have left no record of their sufferings, they also, no doubt, felt some gratitude for the peace which was called Roman. The benefits which flowed from Roman roads, Roman law and civic administration were new to most of the world over which the early Emperors ruled. However dimly ordinary men may feel that they have a *right* to derive advantage from those who govern them, the moral authority of any system of government always depends in part upon the actual benefits which it is believed to confer. In practice conquest and the military power of those in control of a community are never enough to secure obedience or respect. Submission to power is all that is granted to a tyranny; and it is an insecure foundation for government. But when the distress invariably caused by war and the enslavement of the conquered begins to be forgotten, in a later generation, a system of government originally based upon fraud and violence may prove to be advantageous to the health and happiness of its subjects. That is why Colonial Government in modern times, originally based in many cases, as the Roman system was, upon fraud and violence, has come to be regarded as a trusteeship. Its moral authority therefore depends upon the general answer among its subjects to the question whether in practice its laws and administration are beneficial to them.

In the western parts of the Roman Empire, Roman force and ambition had overcome, not a higher civilization as in Greece and the East, but simpler tribal communities. Roman conquest was therefore able to introduce into Gaul and Spain and Britain a more

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highly developed system than they had hitherto possessed. For this reason the peoples of the West, at the beginning of the fifth century, undoubtedly felt that they had derived great benefits from the Empire. Although western and north-western Europe had been used, as all the conquests of Rome had been, as a source for increasing the supply of slaves, it had been brought by the Empire into closer touch with the more highly civilized eastern Mediterranean. Commodities were interchanged, communication was frequent, and the small rich class in the cities increased their knowledge and extended the range and depth of their emotion by contact with Greek thought and eastern forms of religion. Such, in brief outline, were the real advantages from which, in part, the Roman system derived its moral authority. The social advantages which western Europe derived from the imperial system may be summarized therefore as follows. First, a fixed order of social classes, social functions and administrative officials was established throughout the Roman world. Each man and woman had a definite status recognized by others and maintained by public Authority. The whole of society throughout the Roman Empire rested upon the organization of cities. That is to say, those who held power in cities shared in their own districts the control of the whole Roman territory; and agriculture and other country pursuits were definitely subordinate to the needs of the city populations. This is in obvious contrast with the situation in medieval Europe, north of Italy, where those in power lived outside the cities and the life of the countryside dominated that of the small towns. Roman civilization was essentially a city civilization; and the advantage of established expectations among the men and women of plainly distinguished ranks or classes (*ordines*) clearly provided an opportunity for greater peace of mind and the enjoyment of amenities even among the victims of the system—the slaves and other manual workers.

The second great social advantage was the administration of justice in accordance with a well-considered system of Law. Roman Law throughout the Empire and the administration of justice at its best gave to all, on the one hand, a definite relation to public Authorities and, on the other, definite private rights and duties,

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affecting, for example, property, marriage, inheritance and contract. The Theodosian law-books, issued in the early fifth century, provided a collection of examples or patterns which still indicates, as it did to the men of those days, the general features of the Roman system of justice.

Again, trade and social intercourse in the Roman Empire depended upon the safety of transit and travel throughout the Mediterranean, which made the Empire one.<sup>1</sup> The greatest cities were sea-ports such as Constantinople, Alexandria and Carthage, or river-ports, having sea-ports closely connected with them, such as Rome, Arles and Ravenna. Until the fifth century, at any rate, piracy and warlike expeditions did not interfere with large-scale sea-borne commerce. Ships carried across the Mediterranean corn from Africa and Egypt to Italy and Constantinople, and brought the finer products of Oriental manufacture from Asia to Gaul and Spain. And with the transit of goods went the interchange of ideas and customs. Practical ideas, for example, in methods of building or of water-supply for cities were carried from land to land; and similar groups of devotees of new religions or new magical cults were formed in all parts of the Empire spreading mainly from the East and South to the North and West.

The feeling of respect and gratitude for the Roman system of government adorned with a magical brightness the city of Rome. A celestial light seemed to shine upon its temples and palaces—a light which did not entirely fade, even in the Middle Ages when they were in ruins. The *Gloria Romanorum*, inscribed on imperial coins, shone out from the city which had made a world, and gave moral authority to all that was Roman and to the name of Rome. The devotion to Rome itself was expressed in the early fifth century by two non-Christian poets, Claudian and Rutilius. Claudian was a native of Egypt; and Rutilius had his home in Gaul, probably near Toulouse. But both came to Rome with the devotion of pilgrims to a sacred place. Claudian wrote of Rome: "This is she who alone received those whom she conquered into her household, and cared for the whole human race under one common name, as

<sup>1</sup> See M. P. Charlesworth, *Trade Routes of the Roman Empire*, 2nd ed., 1926.



a mother not a mistress. She gave the name of citizen to those over whom she had power, and bound them far and wide in devotion. All of us are in debt to her for her lessons in the manners of peace.”<sup>1</sup> Rutilius expresses in glowing terms the last sight of the glorious city when he left Rome on his return in A.D. 417 to his native land. His greatest admiration, however, is given, not to the external splendours of the city, but to the moral authority which Rome derived from her services to mankind. To Rome itself, Rutilius says: “That you have power is of less account than that you deserve to have it.”<sup>2</sup> The service of that peace and justice which Rome maintained was to Rutilius the highest moral ideal; and for that reason he condemned as deserters the hermits and monks whom he saw living in the caves as he passed by sea from Italy to Gaul.<sup>3</sup>

Christian writers at the end of the fourth century and the beginning of the fifth, agreed with non-Christian in their admiration for the city of Rome. It was generally recognized by Christian apologists that the unity of diverse peoples and the peace between them which Rome had achieved, had been essential for the spread of Christianity. Even Orosius, an exceedingly foolish Spanish priest, recognized that he met friends everywhere by grace of the Roman Empire. But the city of Rome itself retained for Christians the magical influence due to the splendour of her buildings and the belief in her eternity. Rome had become Christian without losing in their eyes her ancient glory. St. Ambrose supported the imperial authority of Rome; but Ambrose had been an imperial official before he was a Christian bishop. Prudentius, the Christian poet of the early fifth century, however, was no less impressed by the dignity of Rome. And although he looked to the tombs of the martyrs rather than to the palaces and temples, it was in Rome that he found the highest expression of moral authority. Something of this feeling survived the collapse of Roman power in

<sup>1</sup> Claudian, *De Consulatu Stilichonis*, ii, 115. Claudian probably died about A.D. 408.

<sup>2</sup> “Quod regnas minus est quam quod regnare mereris.”

<sup>3</sup> The fragment of the poem of Rutilius which now remains was preserved by the monks of St. Columban, an Irishman, at Bobbio, and rediscovered in a library by a Renaissance scholar. The monks preserved the attack upon monks, and the muse of history must have smiled when she handed the fragment to Papal Rome.

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western Europe and the decline of the moral authority of the Roman system of law and justice. The city of Rome had an important influence, as will be explained in a later chapter, upon the formation of the mediæval Papacy. But the magical power of the ghost of Rome among its ruins was very different from the moral authority which, in the early fifth century, was derived from a system of government.

### *Decline of Authority*

The gradual decline of the moral authority of the Roman Empire must now be considered. This decline had begun about a century before Alaric entered Rome. The fact that the Emperor no longer used Rome as his capital, no doubt, weakened his authority; for the magic of Rome could not easily be carried off from the place even by a supreme ruler who continued to call himself "Roman." It was pointed out above that the Oriental pageantry introduced by Diocletian, and the inevitable influence of the East upon the "New Rome" established by Constantine, must have added something to the prestige of the Empire. On the other hand, the mere fact that Constantinople was a new foundation and contained none of the buildings or monuments which had made Rome sacred in the past, weakened the authority of the Emperor in Italy and in the West. When there were two Emperors reigning, the capital in the West was not Rome but first Milan and afterwards Ravenna. Indeed, when the Emperor Honorius entered Rome, if indeed he did, in A.D. 404, for a whole century Rome had been visited only three times by an Emperor.<sup>1</sup>

The magic associated with the name of Rome remained in the city itself. In the Middle Ages, when the Popes left Rome and the Papal Court resided for about seventy years at Avignon, the prestige of the Papacy gradually diminished, until it was found possible by a Pope to return to the Sacred City.<sup>2</sup> The magic of a place can be

<sup>1</sup> By Constantine, A.D. 312; Constantius, A.D. 357; Theodosius, A.D. 389. See Hodgkin, *Italy*, vol. 8, p. 300.

<sup>2</sup> In 1377 Gregory XI, a Frenchman, reached St. Peter's. Then began the connection between the Vatican as a Papal residence *outside* Rome, and the Papacy, which had hitherto been established at the Lateran.

used even in modern times. Thus the recent removal of the centre of British government in India from Calcutta to Delhi, and the effort to adorn the new capital with an Oriental magnificence, were clearly intended to reinforce the authority of the British Raj. In any case, the removal of the Emperor from Rome destroyed the roots of the system which Augustus had established in its connection with the historic Senate and the great families of the Roman tradition. The centre of authority was Constantinople, in spite of the theory that the two Emperors were equal; for no one could believe that an Emperor who sought refuge behind the marshes surrounding Ravenna had control of the western provinces through his own power, especially as Ravenna was chosen for a residence because of its connections by sea with Constantinople.

Another cause of the loss of prestige in the Empire in the West was the substitution of Greek for Latin as the language of the Court and of learning. When the capital of the Empire was moved eastwards, it became the centre of an eastern world already united in trade and in culture by the Greek language. The original language of the earliest Christian Churches was Greek; and the titles of the Church officials (bishop, priest, deacon) and the names of the ceremonies of the Church (baptism and Eucharist) were forms of Greek words. Constantinople was distinguished from old Rome because its chief public buildings were not Roman temples but Greek churches; and the keenest thought of the now Christian Empire was expressed in Greek. This in itself inevitably weakened in the West the hold which imperial authority had derived from what had hitherto been the universal language of Roman Law and administration; and, as it will be shown later, all the associations of the Roman tradition embodied in the use of Latin, especially in the Law, were taken over by the Church in the West from an imperial system which had become, in letter as well as in spirit, alien.

In the general decline of the moral authority of the Empire in the West the most obviously destructive influence was the gradual decrease in the advantages which all classes derived from the system. In the first place, Roman Law and Roman Order became

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ineffectual as the dictatorship of the Emperor became in practice weaker. Local governors and local judges twisted law and administration to suit their private interests. Criticism of official injustice became impossible as the supreme Authority was either more distant or more completely severed from the life of the majority of its subjects. Public administration was used for obtaining private wealth; and the rich landowners of any locality were able increasingly to exert pressure both upon imperial officials and upon the poorer classes who paid most of the taxes. The complaints of Salvian in the middle of the fifth century give sufficient proof that all except the very rich derived little enough advantage from the old system. But if further proof were needed the provisions of the Theodosian law-books against unjust judges and local governors under the control of a local aristocracy indicate that the central Authorities knew how badly the old system was working. For many years before the fifth century taxation had been exacted for the advantage of officials; and the property of the small landowners fell into the hands of the rich, as a result of the pressure upon them exerted by imperial agents or by the bailiffs of powerful senatorial families.

When the barbarian gangs began in the fifth century to loot towns in Italy, Gaul, Spain and Africa, it was quite obvious that no protection for the majority was to be had from the central Authorities of the Empire. The system had become useless to the majority of its subjects; and whatever advantage it might still have, accrued almost entirely to the rich landowners. Again, the breakdown of the Roman system involved also a disturbance of the traditional ranks or orders or classes in society. Rich men climbed into the senatorial order out of reach of taxation and obligations of public service. In the early days of the Empire the entry of freedmen into positions of power at Court had been at first resented; but by the fifth century it had become a commonplace that any barbarian soldier, whose cunning or luck served him well enough, might reach control not only of a city or province but of the central Government. And besides, among the Court officials of the new Christian Empire since the days of Constantine

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some of the most important were eunuchs in the palace. The very elevation of the Emperor himself above all his subjects tended to reduce them all to a mass within which the distinctions were of minor importance. And in those parts which were distant from the seat of central Authority, as it has been explained in the second chapter, men of the poorer classes were continually seeking refuge from oppression either by flight to the barbarians or by the acceptance of a servile position on the estates of rich landowners. Thus Roman Order was disturbed. The system of government was in dissolution; taxation no longer supported public services; and the courts no longer maintained an equal justice even for those who claimed to be Roman citizens.

Finally, the Mediterranean was no longer safe. After the Vandals had crossed into Africa from Spain in A.D. 429, sea-borne supplies from Africa to Italy were often interrupted; and in the next fifty years frequent sea-battles or warlike expeditions across the sea began the destruction of the unity of the Empire which had held together the shores of the Mediterranean.

The decline of the moral authority of the Roman Empire in the West may be made clearer by distinguishing between the stages through which it passed. In the early part of the fifth century under Honorius and his sister Placidia, the prestige of the Empire was maintained, so long as the military and civilian officials acted in the name of the Emperor and so long as barbarian warriors were his allies; but by the middle of the fifth century the situation in the West was considerably altered because an increasing number of Roman officials were already under the authority of barbarian kings, while the bishops who represented the Roman tradition attempted to give stability to the new barbarian kingdoms. A second stage was therefore reached when the great barbarian general Ricimer made and unmade Emperors; because this implied that the Empire itself had become merely a traditional decoration which might be used to cover the real power of a barbarian dictator. Ricimer's death in A.D. 472 was clearly the beginning of the last stage in the decline of the moral authority of the Emperor in the West, which disappeared when in A.D. 476 Romulus Augustulus was



A

B



C



C



D



E



F

# PLATE 2—MEDALLIONS AND COINS

- A. (Referred to page 116, line 4) Reverse of bronze medallion of Fiusta, wife of Constantine the Great, with inscription *PIETAS AVGVSTI* (Paris)
- B. (Referred to page 116, line 6) Reverse of gold medallion of Galla Placidia, sister of Honorius, wearing a halo and seated on throne, with inscription *SALVS REIPUBLICAE RV COMOB* (Paris)
- C. (See page 116, line 4) Gold medallion of Constantius II (British Museum)  
*obv.* DN CONSTANTIVS MAX AVGVSTVS—bust, helmeted, cuirassed, holding Victory and Spear  
*rev.* GLORIAE ROMANORVM/SMN —Constantinopolis seated on throne, her foot on a prow, holding Victory on globe in right hand and sceptre in left
- D. (Referred to page 448) Gold coin (called Mancus) of Offa of Mercia, copied from Arab dinar, with inscription in Arabic
- E. (Referred to page 447) Merovingian coin of Limoges, issued by authority of the Church (*Ratio ecclesiae*)
- F. (Referred to page 448) Denarii of Charlemagne with title *IMPERATOR*



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stripped of the purple and a barbarian king ruled Italy in his own name.

At each of the stages thus summarized both the actual success of Roman arms and the utility of the Roman system of government became more and more doubtful. And therefore the moral authority which had depended in the early Empire both upon success in arms and upon the advantages derived from the system by the majority of its subjects, was gradually lost. But the loss of moral authority in the older system of government was, from another point of view, merely a transference of moral authority to a new system of separate kingships.

### *First Stage in the Decline: Roman Generals*

During the first period the prestige of the Roman Emperor survived almost by accident the inaction of the actual Emperor. The barbarians under Alaric, as well as those who invaded Gaul and Spain, still had a superstitious fear of the uncanny power of Rome. They might destroy cities and carry off loot; but they never thought of themselves as destroyers of the Empire itself. Indeed, Orosius tells us that Adolf, the brother-in-law and successor of Alaric, made a deliberate decision that he should preserve the Roman system. He took in marriage Galla Placidia, the half-sister of the reigning Roman Emperor, Honorius—the same lady who had been taken captive at the sack of Rome in A.D. 410. This is the account Orosius gives of his evidence for believing that the barbarian chief aimed at preserving what he calls “Romania”:—

When I was at Bethlehem I heard a citizen of Narbonne who had served with distinction under Theodosius, and who was besides a wise and religious person, tell the most blessed Jerome that he had been on terms of the greatest intimacy with Adolf at Narbonne, and that he had frequently heard him say that in the first exuberance of his strength and spirits he had made this his most earnest desire: to obliterate the Roman name and make the whole Roman Empire the Empire of the Goths in fact and in name, so that in popular words what had been “Romania” should be “Gothia,” and himself, Adolf, what once Caesar Augustus was. But when he had learnt by much experience that on the one hand the Goths could not obey laws because of their unbridled barbarism,



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and on the other that laws could not be abolished in a State, since without them no State can be a State, he had chosen to seek the glory for himself of restoring wholly and of strengthening the Roman name, by using the power of the Goths, and that he would be believed by later ages to be the author of a Roman restoration, since he had failed in his attempt at transformation.<sup>1</sup>

It will be noticed that, in the words of Orosius, "Romania" has not quite the same meaning as "Romanum Imperium." The Empire eventually disappeared; but Roman civilization did not. Indeed, in one sense, "Romania" is a good name for the whole social system of western Europe during the Middle Ages; and perhaps Orosius himself recognized that there was a distinction between the dictatorship of a Roman Emperor, which might be held responsible for the destructiveness of Roman arms, and on the other hand the civilization he called "Roman." He does not hesitate to criticize the past conquests of Rome; and at the same time he takes pride in the fact that wherever he goes he finds friends and fellow-citizens. In this sense he can call himself "Roman"; but the word "Roman" is thus already beginning to mean the unity of a civilization based upon the Church. These are his words: "The victories of Rome grow by the destruction of peoples and cities and if you think it out, more harm than good has come from them. . . . See how happily Rome conquers and how unhappily everything outside of Rome is conquered . . . the happiness of one city is made of such a heap of misery that the whole world is turned upside down."<sup>2</sup> He refers to the ruins of Carthage, the desolation of Spain, the exploitation of Italy; and again in a later book he says that Spain has suffered from the Goths for only two years, but she has suffered from the Romans for two centuries.<sup>3</sup> On the other hand, Orosius says: "I go everywhere among friends; everywhere is my fatherland; everywhere my law and my religion—among Romans, a Roman; among Christians, a Christian; among men, man."<sup>4</sup> The contrast could not be greater between the evils of

<sup>1</sup> Orosius, *Hist.*, vii, 43. (Trans., except for a few words, from Hodgkin, *Ital.* i, p. 402.)

<sup>2</sup> *Ibid.*, v, 1.

<sup>3</sup> *Ibid.*, vii, 41.

<sup>4</sup> *Ibid.*, v, 2. *Mihi . . . ubique patria, ubique lex et religio mea est; inter Romanos Romanus; inter Christianos, Christianus; inter homines, homo.*

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imperial power and the unity of a civilized world which had learnt to call itself Roman.

In the years immediately following the sack of Rome by Alaric, five usurpers in the West challenged the authority of the Emperor Honorius; and each was either defeated or brought to submission. As Orosius says, first Constantine established himself as Emperor in Britain in A.D. 407; and in A.D. 408 he and his troops had conquered Gaul and Spain; but in A.D. 411 he was defeated and slain. Maximus was proclaimed Emperor in A.D. 409 in Spain against Constantine; and when Orosius wrote he was wandering as an exile among the barbarians. Attalus had been proclaimed Emperor in Rome by Alaric himself in A.D. 409 and was restored in A.D. 414; but in A.D. 416 he was surrendered to Honorius. Another of Alaric's Emperors was Jovinus, and he too was surrendered to Honorius in A.D. 416. Finally, Heraclian, Count of Africa, proclaimed himself Emperor and invaded Italy; but he too was defeated and slain in A.D. 413. The prestige of an Emperor was therefore still worth the risk involved in claiming the title; but the authority of Honorius survived. Orosius regards this as evidence of the divine blessing bestowed upon the Emperor who not only held the Catholic Faith but also gave unity to the Church in Africa by the decisions against the Donatists made, under his authority, by the Tribune Marcellinus.<sup>1</sup>

The situation was hardly changed by the death of Honorius in A.D. 423. Galla Placidia, his half-sister, had been married first to the barbarian Adolf in A.D. 412, and secondly to Constantius, a Roman general and conqueror of the usurper Constantine. But Constantius, although proclaimed Augustus, when Placidia, his wife, was given the title of Augusta, died suddenly in A.D. 421; and at the death of Honorius, Placidia fled to the Court of the other Emperor in Constantinople. After an abortive attempt at making a certain Johannes Emperor, the son of Placidia, Valentinian, at seven years of age, was established as Emperor in the West by the forces of Theodosius II, then reigning in Constantinople.

In this first stage of the decay of Roman authority the significant fact is the power of Roman generals acting under the authority of

<sup>1</sup> Orosius, *Hist.*, vii, 42, 16.

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the Emperor Valentinian III and actually as servants of his mother, Galla Placidia. The situation just before Alaric sacked Rome was indeed not very different. Stilicho, the Vandal, had been the active force of the Roman Government under Honorius; and Constantius, the general of Honorius and later the husband of Placidia, had also been the real force behind the same inanimate Emperor. But after Placidia and her son had been endowed with the magic prestige of the names "Augusta" and "Augustus," the situation became even more obviously dependent upon the vigour and ability of officials. The two great men on whom the Empire in the West depended were Bonifacius, Count of Africa, and Aetius, Count of Italy. As Procopius wrote, about a century later: "There were two Roman generals, Aetius and Bonifacius, especially valiant men and in experience of many wars, inferior to none of that time at least. These two came to be at variance with regards to matters of State; but they attained to such a degree of high-mindedness and excellence in every respect that if one should call either of them the last of the Romans he would not err, so true was it that all the excellent qualities of the Romans were summed up in these two men."<sup>1</sup> But in the end the rivalry of these two men did more to undermine the moral authority of the Roman system than their administrative and military ability had done to maintain its failing strength. Bonifacius was the friend of St. Augustine, and received from him advice and instruction on the Christian duty of maintaining his public functions while adopting the form of asceticism then generally approved. Augustine wrote: "Do not think that nobody can please God who serves in the armed forces."<sup>2</sup> And in a later letter: "After the death of your first wife you wished to retire from administrative duties and become a monk. And what hindered you? Was it not the thought urged upon you by Alypius and myself, that even your public duties would greatly help the Churches of Christ, if you made this your only aim, so that they might be delivered from attacks of the barbarians? . . . You were to seek in this world nothing but the bare necessities of life for yourself and your family,

<sup>1</sup> Procopius, *Hist.*, iii, 3, 14. (The translation is from the Loeb edition.)

<sup>2</sup> Augustine, *Ep.*, clxxxix. (*C.S.E.L.*, vol. 87, Pars. iv, p. 133.)

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and preserving the chastest continence in the midst of bodily armaments you might be more safely yet more strongly defended by spiritual arms."<sup>1</sup> In this letter Augustine complains that the Berbers have devastated Roman Africa while Boniface was absorbed in securing his own position.

The disappointment expressed by St. Augustine in the same letter at the second marriage of Bonifacius does not concern public policy; but his new wife was an Arian heretic, and therefore may have influenced his next step. Bonifacius seems to have believed that his position in Africa was being undermined by intrigue at the imperial Court; and he may have been suspected of such ambitions as many other Roman governors had had. In any case, the Count of Africa appealed to the Arian Vandals who had established themselves in Spain, to help him to secure his own position in Africa. It was clearly impossible for the Count to realize at that time the disastrous consequences. But in a few years the Vandals were fighting for their own purposes against Bonifacius himself. They had come over to Africa in A.D. 429; in A.D. 432 Bonifacius fled to Italy; and in A.D. 439 the Vandals had complete control of Roman Africa.<sup>2</sup> The effort of a Roman governor to secure himself against the policy of the central Authority of which he was the servant, had undermined the authority of the Empire in one of its most important provinces. Africa was the chief source from which the city of Rome drew its supplies of corn for public distribution; and after the Vandal conquest these supplies were cut off. Thousands of the poorer Romans therefore must have been made painfully aware of the weakness of the imperial Authority as an earthly Providence. Again, the Vandals were Arian heretics with their own clergy and their own Gothic bible. The Vandal kings persecuted the Catholic clergy of Africa when they were cut off from the Empire; and the prestige of the Empire was therefore further diminished by its failure to maintain the Churches to which the Emperors had been for so long devoted.

<sup>1</sup> Augustine, Ep., ccxx. (C.S.E.L., vol. 57, Ep. Pars. iv, p. 433.) Trans. partly inexact from Hodgkin's *Italy*.

<sup>2</sup> It must be remembered that Africa in this sense does not include Egypt and Cyrenaica.

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The other great figure of the time was Aetius, who for seventeen years maintained Roman authority in Gaul and Italy by continuous fighting and later by his influence at the Court of Galla Placidia and her son, the Emperor Valentinian III. During those years appeals were made for help against barbarians in the West to Aetius himself and not to the Roman Emperor. Appeals came from Britain and from Spain but no help was given; for, although Aetius was able to use some barbarians against others, his forces were evidently so unreliable or so weak that it was all he could do to maintain Roman authority in Gaul.

The position of Aetius in the eyes of the Roman population in western Europe is most clearly indicated in the chronicle of Idatius, bishop of Chaves (*Aquae Flaviae*) in Gallicia, that is north-western Spain.<sup>1</sup> He was born in A.D. 388 and became bishop in A.D. 427. His chronicle continues until A.D. 469; and he died in A.D. 474. In A.D. 400 he was in Egypt and Palestine where he conversed with St. Jerome; but in A.D. 402 he was in Gallicia again and lived there for the rest of his life. Thus he is a contemporary witness of the collapse of Roman authority in one of the most distant provinces of the West. He reports the entry of the barbarians, chiefly Vandals and Suevi, into Spain in A.D. 409. "The drunken violence of the barbarians throughout Spain, and a raging pestilence, scattered by tyranny and destroyed by the sword the wealth and stored resources of the cities; a dreadful famine spread so greatly that human flesh was eaten by men in the extremity of hunger: mothers also ate the bodies of their children, cut up and cooked. Wild beasts fed on the corpses of those killed by the sword, hunger and pestilence; they killed stronger men and, devouring their flesh, everywhere contrived the destruction of the human race. So by the raging in the whole world of the four plagues—the sword, hunger, pestilence and wild beasts—what was foretold by the Lord through his prophets is come to pass." He then describes the division of what is now Spain and Portugal between the Vandals, the Alans, and the Suevi. When he puts into his record the marriage of Adolf the Visigoth to Galla Placidia at Narbonne, he says that this fulfils the

<sup>1</sup> Idatius, *Chronicon. Pat. Lat.*, 51, col. 873 sq.

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prophecy of Daniel—that the daughter of the King of the East would be united with the King of the North. He notes the passage of the Vandals into Africa, and in the following years mentions victories of Aetius over the Burgundians and the Visigoths in southern Gaul. In A.D. 431 he says that, because the Suevi once again violated the peace they had made with the people of Galicia, he himself, bishop Idatius, undertook an embassy to Aetius. But evidently Aetius had no forces available for Spain, because in the following year Idatius says that Aetius won a victory over the Franks and made peace with them, and sent Count Censorius as a legate to the Suevi, Idatius himself returning with the Count to his own country.

During all this time the good bishop was concerned with the Manichean heresy in Spain, in connection with which Pope Leo the Great had written to Turribius, bishop of Astorga.<sup>1</sup> After noting the invasion of Italy by the Huns in A.D. 451, he writes of the quarrels in Spain between the Goths and the Suevi and the great defeat of the Suevi twelve miles outside Astorga. The results were again disastrous for the unfortunate population. Idatius writes that Theodoric, king of the Goths, sacked the city of Bracara and “a great number of Romans were taken as slaves, basilicas of the Saints destroyed, altars broken, virgins of God carried off but not violated, clergy reduced to extreme poverty and the whole people of both sexes with their children torn from sanctuary, the holy place filled with the filth of oxen, swine and camels, and the writings fulfilled about Jerusalem under the anger of heaven.”<sup>2</sup>

The decay of moral authority in the central Government of the Empire is shown by the record in the chronicle of news from Rome. As Emperor follows Emperor in the years after the death of Valentinian III, Idatius notes the arrival of legates in Galicia announcing the names of the new rulers; and apparently legates were sent from Spain to every new Emperor. But this was evidently only the futile survival of an ancient form. The most important events of the time in Spain were the struggles of barbarian bands, one against the other. The Roman Authorities still retained the

<sup>1</sup> See below, p. 528.

<sup>2</sup> Idatius, *Chron. Pat. Lat.*, 51, col. 885.

respect of those over whom Emperors had once ruled; but actual policy in the distant provinces was concerned merely with the adjustment of the quarrels of barbarians and protection for the population which was called "Roman" against the robbery and violence of the armed gangs under their barbarian kings.

The situation was less disastrous in Gaul after the first raids of the barbarians in A.D. 406. By the middle of the fifth century some barbarian kings and warriors had established themselves in control, of whom the most important were the Visigoths under their king Theodoric. But in A.D. 451 a new and more destructive invasion seemed about to begin. The Huns, under their king Attila assisted by other barbarian allies, advanced into Gaul and destroyed cities in the Rhine Valley and north-eastern France. They reached the walls of Orleans where the bishop Anianus inspired the defence while messengers were sent to Aetius. He was able to induce the Visigothic king to support the Roman authorities; and with the assistance of other barbarian troops he advanced against the Huns. Gaul was saved by the defeat of Attila in the battle of Châlons or the Mauriac Plain. As Jordanes writes: "On the side of the Romans such was the ability of the Patrician Aetius, on whom the commonwealth of the West then depended, that he was able to mobilize fighters from all sides and meet on equal terms the savage and countless multitudes of the enemy."<sup>1</sup>

But Attila had not given up all attempts of extracting loot from the Empire. He and his marauding bands entered Italy, destroyed some cities in the north and were believed to be about to descend upon Rome, as Alaric had done nearly fifty years before. The Roman authorities, thereupon, decided to send as an embassy to the Huns two senators and Leo, bishop of Rome. By the influence of Leo, according to one chronicle, and under the pressure of disease among his troops, according to another, Attila retreated from Italy to the Danube and there died.<sup>2</sup> The situation had changed

<sup>1</sup> Jordanes, *Getica*, ch. 26 sq. The whole battle is elaborately described in this passage.

<sup>2</sup> The Chronicle known as Prosper's mentions the influence of Leo; the Chronicle of Idatius makes no reference to it, but only to disease. Jordanes (chap. 42) suggests that the death of Alaric after his sack of Rome had an influence upon Attila.

in one important particular. The bishop of Rome had become much more powerful politically as well as in ecclesiastical affairs. This is but one of the many signs of a transfer of moral authority from the Empire to the Papacy which was taking place without attracting the attention of contemporary historians. Indeed, the Churches and their bishops did not yet adopt a single common policy with regard to the barbarian invasions. For example, at the time of Attila's advance into Italy, Maximus, bishop of Turin, delivered homilies to his people which express a form of religious defeatism.<sup>1</sup> He says in one homily that the invasions are signs of the end of the world but that David killed his enemy, not with arms, but by the spiritual sword which is the stone; and this stone which the builders rejected is Christ. Life is a trial (*experimentum*); death is not evil and the only means of repelling the ferocity of barbarians are prayer and fasting (*Hom.* 87). If prayer fails to achieve its object, that is because of sin (*Hom.* 92). Meantime Maximus is concerned at the evil habit of the rich in fleeing from danger (*Hom.* 91) and at the still more pernicious purchase of slaves and property which had come on to the market owing to barbarian looting (*Hom.* 96). "The money-maker always feeds upon another's misfortune . . . a father mourns a captive son and you take him as a slave. . . . Your excuse is that you bought them, when you take the poor man's ox or the widow's household goods. . . . Where did you get your Roman slaves? We know that they belong to our fellow citizens. . . . As a Christian and a citizen you should purchase only to restore what is taken from the rightful owners." Maximus is, therefore, not careless of social duties. Indeed his conception seems to be that, although as a bishop he is not concerned with armed force, the prayer of Christians should support the established order. Thus, either as supporters of defence against the barbarians or as preachers attacking the avarice and corruption which they felt to be the chief dangers of the old order, the bishops of the Latin Churches gradually increased their moral authority, as that of Emperors and their generals declined.

But the old game of politics went on. Actius clearly believed

<sup>1</sup> Maximus of Turin, *Pat. Lat.*, 57. *Homilia*, 86 96.



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that he was indispensable to the Emperor, as Stilicho had seemed to be to Honorius in the days of Alaric. Galla Placidia had died in A.D. 451 or A.D. 454. Aetius was negotiating for the marriage of his son with the daughter of the Emperor. The general had the real power; but evidently he dared not make himself Emperor. He aimed therefore at securing for his son the position which he could not attain for himself, as it was said Stilicho had done. But the jealousy of his rivals at Court was his undoing. The Emperor invited his chief minister to the Palace, and there with his own hands stabbed him to death. As Sidonius wrote: "The lunatic half-man slaughtered Aetius."<sup>1</sup> Three months after, in March 455, the Emperor himself was stabbed to death outside Rome by followers of the general. Thus ended the first stage in the decline of authority of the Empire in the West.

### *Second Stage: the Patrician Ricimer*

The next stage was marked by the complete control of the Empire by a general in his own name, who condescended, however, to make his agent an Emperor. The few months that follow the death of Valentinian III may be regarded as an interlude. A rich old Senator, Petronius Maximus, was dressed in the imperial purple in Rome and in that same year the Vandals invaded Italy. At the news of their coming the old man was killed by his servants. Leo, bishop of Rome, went out to ward off the invaders from the South, as he had in the North when Attila threatened; but he failed. The Vandals entered Rome a few days after the death of the Emperor, and took what they wanted of the precious metals and other booty. Meantime in July of that year, A.D. 455, another rich nobleman, this time at Arles in Gaul, was proclaimed Emperor. Avitus, the new Emperor, went to Rome and ceremonies were held in the traditional manner; but the farce did not continue. Ricimer, a Count of the Empire, won a victory at sea over the Vandals and felt himself strong enough to put aside at once the

<sup>1</sup> Sid. Ap., *Panegyric of Avitus*, *Carm.*, iv, 359. Aetium Placidus nectavit semivir amens. And also in *Carm.*, vii, 305. Principis gladio lacrymabile fatum clauseret Aetius.

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master whom he was supposed to have served. In September 456, the Emperor fled from Rome, was captured by Ricimer at Placentia, dethroned and immediately consecrated bishop. This was the recognized method in the fifth century for removing a man from politics.

Ricimer was now undisputed master of the Empire in the West, or rather, of all that remained of it in Italy and Gaul. He himself was a barbarian by birth—half Suevic, half Visigothic; and now for sixteen years he controlled and used the old imperial power, taking for himself the title of Patrician. It was the title that had been borne for twenty years by Actius, and seems to have now come to mean Prime Minister.<sup>1</sup> Ricimer immediately made a young officer on his staff Emperor (A.D. 457). Majorian, the new Emperor, wrote from Ravenna to the Senate in Rome a letter which was preserved among the edicts of his reign. The significant sentences of this letter run as follows: "The Emperor Majorian Augustus to the Senate. You recognize, Senators, that I have been made Emperor by your election and the appointment of the army. May Divine Providence support the opinion of all and render fruitful our rule for your advantage and that of the public. Since I have ascended the throne not by my will but in the service of public interest, lest I should be thought to act in my own behalf alone or to be ungrateful to the Commonwealth to which I belong . . . we and our parent and patrician, Ricimer, will take watchful care of the military situation . . . and by the Divine Hand we wish you happiness and good fortune for many years, Senators of the Sacred Order."<sup>2</sup> In this document the Emperor has become little more than a ghostly shadow. It is mere pretence for him to write that the Senate and the army had any connection with his selection as Emperor. The real power was derived obviously from the Patrician, Ricimer. And in two years Majorian had ceased to be Emperor. He was put to death, apparently by the order of Ricimer, in May 460.

Some months later, in November 461, Ricimer proclaimed

<sup>1</sup> Hodgkin, *Italy*, ii, p. 406.

<sup>2</sup> Nov. Majorian I, January 11, 458. At the end, the inscription is "et manu divina . . . sanctissimi ordinis patres conscripti."

as Emperor a certain Libius Severus who died at Rome in August 465; and, according to Cassiodorus, some said that Ricimer had given him poison. But the Patrician never attempted to make himself Emperor, although he was continually engaged in wars for the defence of Italy and the remnants of the Empire in the West. Indeed, after the death of Severus there was no Emperor at all in the West until A.D. 467. It may be presumed that in theory the Emperor at Constantinople, Leo, was the acknowledged head of the Empire; but in fact Ricimer ruled, until Anthemius, a son-in-law of the new Emperor Marcian, was accepted by him as Emperor. A quarrel followed between the new Emperor and Ricimer; and Epiphanius, bishop of Pavia, was sent by Ricimer from Milan to the Emperor Anthemius in Rome to negotiate a peace. The Emperor is said to have assured the bishop that he would commit himself and the State entirely into his hands and grant to him the pardon which Ricimer himself would not have obtained.<sup>1</sup> In A.D. 472, however, Ricimer was again hostile to Anthemius; and in the early months of that year he proclaimed as Emperor the Roman Senator, Olybrius, who had married the daughter of Valentinian III. He then marched against Anthemius who was in Rome, entered the city, slew Anthemius in July A.D. 472, and on August 18th himself died suddenly of hæmorrhage. This marks the end of the second stage in the decline of the moral authority of the Empire in the West. Ricimer had held power for sixteen years, made Emperors as he chose, but himself never troubled to claim the title. The prestige of an Augustus was evidently already of little account.

### *Third Stage: the End of the Empire*

The last days of the Empire in the West ended with the final disappearance there of the very name of Augustus. Olybrius died at Rome in October 472. A puppet Emperor, Glycerius, was set up at Ravenna in March 473; and a new Emperor, Nepos, came from Constantinople to claim the title and power of an Augustus early in A.D. 474. His rival, Glycerius, was made a bishop in Dalmatia—another compulsory retirement from politics into the

<sup>1</sup> Ennodius, *Vita Epiphani*.

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Church; and Nepos, after being accepted in the outskirts of Rome as the new Emperor, reigned for fourteen months, until he was dethroned by a Roman general, Orestes. Nepos fled to Dalmatia in A.D. 475, where the ex-Emperor he had dethroned had been sent; and in August 475 Orestes proclaimed his own son Emperor, taking for himself the title of Patrician, which had now become the symbol of real power. The new Emperor, a boy of about fourteen, was named Romulus after a relative, and the title Augustus was modified by sarcasm into a diminutive Augustulus. Thus he bore the names both of the first and of the second founders of Rome. But in A.D. 476 a revolt of Roman troops against Orestes, under a barbarian leader, Odovacar, compelled Orestes to flee to Pavia. The followers of Odovacar captured and sacked Pavia. Orestes was killed and Romulus Augustulus, the last of the Emperors in the West, was summarily dethroned and kindly allowed to retire to a villa near Naples.

The only record of the new situation is in a fragment of the Greek historian, Malchus. He wrote: "When the Augustus, the son of Orestes, heard that Zeno, driving out Basiliscus, had again obtained possession of the Empire in the East, he compelled the Senate to send an embassy to make the following declaration to Zeno—that they had no desire for an Emperor of their own, but that a single one in common, holding sway over both territories, sufficed; that Odovacar had been chosen by them as fitted to safeguard their interests, because of his knowledge of civil and military affairs; and that they besought Zeno to bestow on Odovacar the dignity of Patrician and also the diocese of Italy."<sup>1</sup> Zeno is said to have replied that the Senate ought still to acknowledge their lawful Emperor Nepos; but nothing effectual was done to restore him to power. Odovacar was given the title of Patrician, and seems to have paid some sort of respect to the Emperor at Constantinople. But he neither claimed to be an Augustus himself, nor did he attempt to disguise his own power by choosing another to fill the place of Romulus Augustulus. Such was the end of the Roman Empire in the West.

<sup>1</sup> Malchus, *Hist.* (ed. Niebuhr), p. 235.

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The situation, therefore, in western Europe at the close of the fifth century was this. The barbarian kingdoms established throughout all western Europe paid a nominal respect to the Emperor; but the only Emperor was at Constantinople—far away, and without any real influence upon the exercise of political or military authority west of the Adriatic. But the position of these kings will be discussed in a later chapter. So far as the Empire was concerned they were merely possible allies, more or less loyal, to be used on occasion, one against another, in a primitive sort of balance of power.

The Roman Empire remained. It had always been one Empire, even in the years, since Diocletian, when it had been administered by two Augusti. It is therefore misleading to speak of the "Empire of the West" or to suppose that anything fundamental had changed when there was no longer any other Emperor but the Augustus at Constantinople. The prestige, however, of the Roman name was no doubt greatly reduced by the fact that the Emperor and his Court at Constantinople were obviously more Greek and Oriental than Roman. For the nations in the West the Emperor had become a distant and almost mythical being in another world. The pomp and glory of Constantinople and the eastern world were known to the warriors and kings of the West; but the Emperors were as far removed from the daily experience of their subjects as the heavens seemed to be.

Roman Law survived in all the oldest provinces of western Europe; although probably in north-eastern Gaul and Britain Roman administration and law-courts had ceased to operate. The moral authority, however, of the only civilized system of justice which western Europe had known, naturally survived in the minds of men and women who no longer could look to a law-giver on earth. Thus almost by accident the moral authority which had belonged to an actual political system was transferred gradually to an imagined or mythical state of things, which was regarded partly as a memory of a better past and partly as the "natural law" of another world.

In the third place, the city of Rome itself retained some moral

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authority over men's minds in spite of the disappearance of a Roman Emperor from the West. Indeed in some ways Rome had increased prestige. For many years Ravenna, as the residence of the Emperor, had drawn to itself some of the culture and political ability of which Rome had been the centre. But there was no longer an imperial Court in any western city. Rome itself seemed to remain eternal in spite of the collapse of the imperial system in the West, and indeed, in a new age, it revived as a centre of moral authority under the influence of the Christian Church. The Roman Empire had lost Italy, Gaul, Britain, Spain and Africa; but in all these "Romania" still had a meaning. The language of culture, law and trade was still Roman; and the Churches which had grown up under the imperial system, being now cut off from the Empire, looked more eagerly to the old Rome, whose bishop was the only patriarch of the West and the most obvious heir of the moral authority which imperial Rome had once possessed.

### *General Conclusions: the Policy of Appeasement*

The new situation in western Europe was indeed partly the result of a succession of events over which the imperial Authorities had little or no control. No doubt, the pressure of marauding bands far outside the Roman frontiers was one of the many causes of the raids by barbarians upon Roman territory. And military control over that territory by Goths, Vandals and other tribes was, no doubt, due in part to the accidents of war. But policy also, even if half-hearted and ill-conceived, played a part in the ultimate disappearance of the moral authority of the Roman Empire in the West. The policy of the imperial Authorities obviously had to take account of the weakness of the Empire in mere military force (*vis*); for the moral authority of a system of government (*auctoritas*) which lacks the power to defend itself is inevitably disregarded. Even the "providence" (*providentia*) of an Authority which is helpless to defend its subjects may well be doubted. But the lack of military forces to resist invasion or to prevent civil war was itself partly the result of policy. The Roman Empire had already for some centuries largely depended for its military forces upon

recruits from barbarian tribes and upon barbarian allies (*federati*), that is to say, armed barbarian gangs under their own kings or dukes. The great landowners were still supposed to supply recruits from their own estates; but they were not eager to assist a distant Emperor by depleting their own labour resources; and besides, the Roman Emperors of the fourth century were willing to leave the local population of the cities and municipalities, which made up their Empire, unarmed and untrained to arms, partly for fear of civil war, partly in order to maintain normal manufacture and commerce. The result was that the military power of the Empire increasingly depended upon mercenaries; and the mercenaries were untrustworthy.

But there was another and more important aspect of imperial policy—appeasement. This was the method by which the central Authority of the Empire strove to protect itself by granting to any band of robbers sufficiently powerful the control of territory and population in those parts of the Empire which were distant or from which they could not easily be ejected. Thus, the Burgundians were allowed to settle in the territory on the upper reaches of the Rhone; the Visigoths entered into a treaty with the Empire for their settlement in Aquitaine; and the Franks were left in control of what is now north-eastern France and Belgium, on condition that they would assist the Roman Authorities against the invasions of other Germanic tribes. After the middle of the fifth century the policy of appeasement involved the actual use of barbarian tribes by Roman Authorities, as Count Bonifacius used the Vandals in Africa, and as the Emperor Zeno used the Ostrogothic king, Theodoric, against Odovacar in Italy.

The conceptions underlying a policy of appeasement seem to have been these. The barbarians admired the Roman Empire and would perhaps be willing to maintain it, if they were treated as friends. All, except the Franks, were Christians, and could therefore be supposed to respect the Christian Empire. Indeed, Constantine the Great had been actually accused of a love for barbarians; and the attempt at reaction against Christianity under his nephew, the Emperor Julian, was also partly a reaction against barbarian in-

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fluences within the Empire. Again, the rich and powerful land-owners in the western provinces of the Empire evidently thought that they could make convenient terms with the barbarian armed bands. Most of the barbarian warriors and their kings wanted loot; and the rich could thus buy their friendship by parting with superfluities. The mistake they made lay in supposing that the appetite for loot can ever be satisfied. Appeasement failed because the barbarians thought, not without some justification, that if the threat of violence could obtain so much, it could obtain all there was to have.

Another reason for appeasement was the belief of the Roman officials that they could civilize the barbarians by acting as their agents and advisers. Thus, many Romans of ability and high culture entered the service of barbarian kings who had settled with their warriors in Roman territory. But this aspect of the situation will be discussed in a later chapter. While the richer classes hoped to preserve their influence by friendship with the barbarians, the poor and the unemployed supported appeasement because they felt they had nothing to lose by changing masters. Indeed, as it has been shown in the preceding chapter, many poor men fled from Roman taxation and the oppression of the powerful to seek some form of liberty under the barbarians. Finally the bishops of the Latin Churches were divided in their conception of policy. Some, like Anianus of Orleans or Germanus of Auxerre on his visit to Britain, organized armed resistance. Others, like Maximus of Turin, trusted in prayer alone. These latter were only too willing to regard the defeat of imperial forces and the destruction of cities as blessings in disguise, because they were supposed to be methods employed by God for the moral improvement of His people. Religious defeatism therefore supported appeasement. But whatever its other effects, the policy of appeasement led directly to the collapse of the moral authority of the Roman Empire in the West.

The fact that barbarian kings derived prestige from the acquiescence of the Roman Authorities in their control of a province damaged the moral authority of the Empire itself. Barbarian warriors did what they chose with property and persons in order



to increase their own loot; and although some barbarians might be less objectionable than avaricious Roman officials, the provincials in other cases certainly suffered from the recurring wars of the barbarians among themselves, and from the oppression of primitive rulers. Wherever therefore the disorder increased, as in Spain and Africa, the prestige of the Empire, which seemed to acquiesce in the new situation, was diminished. A partial likeness to this situation may be found in contemporary India, wherever the extortion and violence of the agents of the less important Indian Princes within their own States seems to reflect upon the British Government's acquiescence in their power. For example, in one small State recently six thousand, out of a population of forty thousand, sought refuge in neighbouring territories; and in another, about twenty thousand peasants left their homes and fled for protection to a province in British India. The situation in India is obviously different from that of western Europe in the fifth century, because of the undoubted power of the British Government; but it provides some examples of the effect upon moral authority, when subordinate rulers are not controlled.

It was not unreasonable to admit the barbarians to share in the advantages of civilization, which both the Empire and the Catholic Churches had to offer. Roman civilization in its political and economic aspects, as well as in the new moral and religious tone it had acquired, might have survived the entry into it of barbarians already impressed by the majesty of Rome and already Christian, although heretical. Again, the actual policy adopted may have been due to unconscious awareness of their own limitations among the Roman rulers and their officials. They were probably, in fact, unable to imagine any other policy, and probably would in any case have been too inert and mentally conservative to carry out any other. But whatever explanations there may be of the policy of appeasement, it weakened the moral authority of the Empire in the West, because compromise was regarded by the barbarians as a sign of weakness. Worse still, it weakened the confidence in the Empire among those who lived within its borders. They saw that the imperial Authorities were willing to desert distant provinces in

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order to save themselves; and they naturally concluded that any subjects of the Emperor might become the next victims of his desire to buy off the barbarians in order to secure peace for himself.

A second aspect of policy, perhaps the result of the failure of appeasement in the West, was the gradual subordination—in terms of moral authority—of the western provinces to the imperial capital at Constantinople. Clearly the two greatest of the Christian Emperors before the fifth century, Constantine the Great and Theodosius I, had made the new Rome the capital of the whole Empire which then included Britain and Spain. The whole Roman world, which had now become the Christian world, looked to Constantinople. Indeed, Lactantius, writing in the early years of the reign of Constantine, regarded Diocletian's policy as pernicious, precisely because he divided the central Authority. "This man," he says, "by avarice partly, and partly by irresolute policy, undermined the Roman Empire because he chose three others to share the government with him. And thus, the Empire was divided into four, armed forces were increased, and each of the four rulers tried to maintain a larger army than any single Emperor had done in the past."<sup>1</sup> But complete centralization was impracticable; and the Empire of the early fifth century was ruled by two Emperors, theoretically equal. When Honorius died, as described above, the western provinces of the Empire proved to be unable to establish an Emperor of their own. First, Valentinian III with his mother Galla Placidia was sent with armed forces from Constantinople to take over the position of Emperor in the West; and having thus, at seven years of age, become theoretically the equal of his cousin the Emperor Theodosius II, he returned to Constantinople in A.D. 437 to marry Eudoxia, his cousin's daughter. Again, in A.D. 468, when Ricimer sought support from the Emperor in Constantinople, a rich nobleman, Anthemius, was sent from that city by the Emperor Leo to Rome as an Emperor. In a decree of March 19, 468, issued in the names of Leo and Anthemius jointly as Augusti, the Emperor Leo refers to his equal in the following terms: "The devout and victorious, always Augustus, our son

<sup>1</sup> Lactantius, *Mort. Persec.*, vii.

Anthemius holds full imperial power by the gift of the divine majesty and our creative act."<sup>1</sup>

When Ricimer besieged Anthemius in Rome, another rich man from Constantinople, Olybrius, was accepted as Emperor under the protection of Ricimer. Finally, in the general disorder which followed the death of Ricimer, another Emperor, Julius Nepos, was provided with armed forces and a title by the Emperor at Constantinople for acceptance in the West. The last flicker of moral authority in the Roman political system in the West died out when the letter of the Senate of the city of Rome, described above, acknowledged the Emperor at Constantinople as the supreme authority of the Roman world. From the position thus established, Justinian, in the sixth century, advanced to his attempted reconquest of the West.

As the authority of the Roman Empire in western Europe and the province of Africa declined, the authority of the bishops of the Catholic Churches increased. The provincials who had lost the protection of imperial officials turned increasingly to the bishops, either in order to prevent barbarian looting or to make terms with the thieves. The Churches of the western world were already powerful, popular organizations in the chief cities. The development of their power will be described in the next chapter. But here it may be noted that the effect of the transfer of moral authority from an organization for law and government to religious organizations for mutual assistance and the salvation of souls, inevitably changed the character of moral authority. The Churches had no armed force. The bishops of the fifth century were not warriors. And even where a bishop might organize or support armed resistance to barbarian robbers, the ultimate purpose was clearly not victory, but peace. Thus, the *Pax Romana*, which had been based upon conquest and subjection, was transformed, as an object of policy, into an entirely different kind of peace—not indeed clearly conceived or resolutely pursued, but more attractive to common folk than the march of the legions. The great majority had no wealth to lose and little enough liberty. What they feared was

<sup>1</sup> *Cod. Theod.*, ed. Mommsen and Meyer, vol. ii, p. 206.

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death or slavery. And against these their chief protectors were the bishops. Some of the most capable of the bishops had been wealthy men and Roman officials; and the best of them had in mind the needs of the poor and unprotected. Their moral authority was therefore derived, not from the use of armed force, nor even from the success of their efforts, but from the general belief in the honesty of their motives. The "providence" of the Church, which was the providence of God, had taken the place of the providence of the Emperor. It is clear evidence of the fact that moral authority does not arise from the use of armed force, and may exist without it. But moral authority without armed force as its instrument is effectual only with those men and women who can be influenced by the appeal to moral principles.

It follows that the particular form of moral authority, which is adequate for a religious organization, may not be suitable or sufficient for the maintenance of law and administration. The transfer of moral authority from the imperial to the ecclesiastical system did not solve the fundamental problem. That problem concerned the nature of the particular kind of moral authority which is necessary for the maintenance of a stable and progressive community. And it is this problem which was continually recurring in the efforts to establish the First Europe. The moral authority of the bishops was largely affected by an other-worldliness which might have had disastrous effects upon the survival of any form of civilized life at all. Indeed, the influence of the bishops upon the barbarian warriors and kings might easily have led to a loss of the moral authority of the Churches themselves. To be careless of wealth and property may be justifiable, especially in the eyes of those who have none. But to be careless of human life and of the bare necessities of living, because of another world beyond the skies, does not promote confidence among common folk. Such carelessness is easily interpreted, either as a confession of incompetence in the organization of civilized life, or as a lack of interest in the sufferings of others. Those bishops who relied only upon prayer seemed willing to accept whatever happened without resistance. And this might easily be taken as proof of an inability to make the effort

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to resist. Those bishops, on the other hand, who believed that God could use the sword, had to face the dilemma that successful force could not establish the moral authority of a system of law and government, although no such system could exist without force. These bishops believed that Christianity did not imply inaction in face of the sufferings of others. Famine, disease, destruction, death and enslavement might indeed be in accordance with the will of God. But it might also be God's will that men and women should take action to avoid or resist such evils. With these problems was connected the difficulty that, although material needs might not save souls, no souls would be alive at all without the supply of some needs. It was in the midst of such practical problems that the Christian Churches found themselves in the latter half of the fifth century.

## CHAPTER IV

### THE DILEMMA OF THE CHURCHES

While the structure of the Roman Empire in western Europe was falling into ruin, another organization based, not upon conquest, but upon the free co-operation of individuals, was being established. This was the Christian Church. At the beginning of the fifth century Christianity was strongest in its local groups, organized as separate congregations or Churches, whose members in different parts of the Empire were still connected only by occasional visits of preachers and by common beliefs and rituals. For three centuries the Christian Churches had been increasing the number of their members, changing their methods of organization, and passing beyond the farthest frontiers ever reached by Roman arms.

A great change in the relation of the Churches to law and government had taken place about three generations before, under the Emperor Constantine; but the results of the change upon the social structure as a whole and upon the Churches and the Empire, were not yet clear at the beginning of the fifth century. The earliest literature of Christianity was that of an Oriental religion expressed in the language of Hellenism. The New Testament belongs to a time when Christians were small groups closely connected with Judaism, without responsibility for law or government, commerce or the social relations involved in marriage and the rearing of children. So far as the earliest Christian documents, therefore, are concerned, those who wrote them and read them in the first and second centuries of our era were not concerned with the problems of civilization as a whole. They either accepted the social situation without discussion, or opposed public Authorities which had begun to take note of them only as possibly dangerous to the established order.

The second group of Christian writings, following those of the

New Testament—the work of the early Fathers in the third and fourth centuries—expresses the same attitude of aloofness towards the problems of law and government. At the beginning of this period the most influential writers expressed the opinion that the true Christian should avoid those military and other public services by which “the World” was organized. The members of the Churches were still small groups in the midst of a surrounding society with its own ancient traditions, its many different religious practices and its suspicion of those who held aloof from the civic duties and ceremonies which were generally acceptable. With the recognition of Christianity by the Emperor Constantine another change occurred. Christian literature then began to include sermons, histories and treatises on the controversial points which divided those who called themselves Christian. But from the beginning of the fourth century, obviously the problem of the relation of the Churches to the economic and political institutions of the day had to be faced. Mere hostility was impossible. It was difficult to avoid responsibility for the actions of public Authorities which supported the bishops of the Church in the exercise of their functions. And although many devout Christians, no doubt, still felt that they were aliens in the Roman world, and although every Church remembered its martyrs whom the Roman Empire had persecuted, the gradual spread of Christianity among the rich and the powerful compelled the officials of the Churches to adopt new policies towards the established order.

In spite of the many changes in the Christian tradition which had occurred already, the Churches in the Roman Empire at the beginning of the fifth century still preserved among their members two distinct attitudes towards the social system within which they found themselves. On the one hand, Christians were conceived as in some way separated from the traditional order of things; and thus not responsible for the maintenance of public order or the organization of the supply of goods and services. On the other hand, Christians had been taught, even in the earliest times, to accept public Authorities as expressions of the divine Will. The Churches might therefore either go their own way, and leave the

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established order outside their purview; or they might use their influence to maintain the established order with whatever corrections of its defects their own tradition might suggest. The two attitudes had been inherited by the Christian Churches from the Jewish communities within which Christianity first arose. In the early years of the Christian era, in all the chief cities of the Roman Empire, Jewish communities were regarded, and regarded themselves, as outside the social and political system. Either as racial or religious associations they were granted by the Roman Authorities a certain internal autonomy. They had their own laws and customs, rituals and beliefs. But, on the other hand, individual Jews, and perhaps also some Jewish teachers, assisted in the maintenance of the political system under which they lived. They recognized obligations to the imperial Authorities who gave them the power to trade and to preserve their own manner of life, in peace. Thus aloofness, on the one hand, and loyalty to the established order, on the other, were characteristic of the Jewish communities in the Roman Empire. The early Christians accepted both attitudes; but their aloofness was greater than that of the Jews, because they believed that the whole social system would soon disappear; and their loyalty was uncertain because they were often persecuted.

Sometime before the fifth century Christianity was organized in small groups of men and women in the chief trading centres of the Roman Empire: and each Church was connected with others only by the visits of preachers and by the letters which passed between the Churches. The small Christian communities were in the position of other non-Roman and non-local religious groups which were organized as *Collegia*. They were generally associations of men and women with a similar outlook on life, who belonged to different classes of society, but were in the main manual workers, small tradesmen and slaves. These small communities within a great city might easily appear to the educated classes and to the officials of the Government to be secret societies with very dubious aims.<sup>1</sup> But by their own members such societies were, no doubt,

<sup>1</sup> Minucius Felix in the *Octavius* gives a very good impression of the suspicion aroused among non-Christians by the meetings of the "lower classes" for Christian worship or mutual benefit. See above, p. 86n.



regarded as the early Protestant groups among humble folk were regarded by their members at the Reformation, or even later during the growth of Nonconformity in England in the nineteenth century: and apart from purely religious organizations, examples of similar societies are to be found among the early trade unions. The members of such small groups find some compensation for the sense that they are without power in public affairs by a greater intensity of friendliness and mutual aid among themselves.

The Christian Churches, in addition to their purely religious functions, served as "benefit societies" for the support of members in need, as organizations for burial, and as opportunities for social intercourse. They elected their own elders or presbyters and their administrative officials—bishops and deacons (overseers and assistants)—thus forming even from the earliest times independent units of social life in the midst of the city-organizations of the Roman Empire. In such a position it was obviously natural for the Christians to adopt very different attitudes to the outer world. The more enthusiastic of their members, impressed by the belief that the world would soon come to an end, held aloof from all contact with non-Christians. This attitude led to a refusal to take any part in the social or official life of the Empire. Such Christians would naturally refuse not only to make the sacrifices symbolic of loyalty to the established order but also to bear arms in its defence. They followed in general those texts of the New Testament which indicated that the true Christian should depart from the common ways of men, especially in marriage and begetting children, and should regard themselves as aliens in a hostile world.<sup>1</sup>

Their attitude was, no doubt, strengthened by the suspicions surrounding them and the persecutions under which so many suffered torture and death. It was the basis of the lives of hermits and monks who believed themselves to be the true followers of Christ's teaching. And the aloofness of these most fervent Christians created difficulties even within the Christian communities them-

<sup>1</sup> "My kingdom is not of this world" (John xviii, 36). "He that hath left his house, or parents, or brethren, or wife, or children for the kingdom of God's sake" (Luke xviii, 29). "The time is short: it remaineth, that they that have wives be as though they had none" (1 Cor. vii, 29).

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selves. The early hermits and monks dispensed even with the ceremonies and sacraments of the Churches. Other Christians followed the tendencies expressed in such texts of the New Testament as that which commanded them "to give to Caesar the things that are Caesar's,"<sup>1</sup> or, in the letter to the Romans, asserted that the established authority "was ordained by God."<sup>2</sup> Christians who adopted this attitude might hold that it was their duty to support the law and government under which they lived, in so far as this support could be separated from a worship of divine Powers which they repudiated. And, no doubt, the officials of the different Churches who had charge of the common funds and of burial-places or meeting-places were naturally inclined to support the social system which gave them some kind of security. It must be remembered, however, that the two tendencies in the early Christian communities were themselves the sources of the two very different kinds of "texts" which are to be found in the New Testament. It is perhaps hardly necessary to note that the Christian Churches formed the New Testament, and not the New Testament the Christian Churches. In general the attitude of mind, or the sentiment, uniting the members of a Christian Church was more nearly what the pre-Christian world would have called a "philosophy" than what it would have called a religion. And as late as the fifth century Christianity is still referred to, even by Christian writers, as a "philosophy," because that word combined a reference to a "way of life" with a reference to certain views of the universe, and in particular of the celestial Powers.<sup>3</sup> The way of life uniting even the smallest Christian groups is expressed in the sentence "where two or three are gathered together in my name, there am I in the midst of them."<sup>4</sup> From the earliest times, and certainly as late as the fourth century, the "Christ of experience" was more important for the Christian Churches than the "Christ of history."

<sup>1</sup> Matt. xxii, 21.

<sup>2</sup> Rom. xiii, 1. See also Titus iii, 1; 1 Timothy ii, 1; and 1 Peter ii, 13.

<sup>3</sup> For example, St. John Chrysostom, preaching to the people of Antioch in A.D. 388, referring to Christian country-folk coming into the city for a feast-day, says: "These are our philosophers, and theirs is the best philosophy; for they show their virtue, not by their dress, but by their minds" (*Hom. xix. ad. pop. Antioch*).

<sup>4</sup> Matthew xviii, 20.

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That is to say, the emotions aroused and the actions inspired by the teaching of Christ were the motive forces of Christianity, rather than a belief in any recorded occurrences. The experience of brethren who adopted the manner of life implied in mutual service and subordination to the universal Fatherhood of God, was the chief force which united the members of any one Christian Church and made them feel their fellowship with the members of distant Churches.

The memories of the martyrs and confessors of the times of persecution provided another force which promoted the unity of the Christian Churches. Lists of martyrs were kept and circulated from one Church to another; and public reading of the records of their lives and sufferings, besides memorial meetings at their burial places, served to consolidate the Churches. Their "Acta" and "Legenda" were no doubt affected from very early times by the imagination which became eventually, in the fifth and sixth centuries, sometimes fantastic in its adornment of a tale. But the Christian tradition in all the Churches was deeply affected by this new literature. Obviously the majority of Christians were more often influenced by the reading of the memorials of saints and martyrs than by the theological controversies with which the clergy and monks were more generally concerned. Again, it must not be imagined that the Churches, even in any one city, were already parts of one great organization. Different groups of Christians, organized as Churches with different bishops and elders, existed side by side; and the differences were in many cases not due to doctrine or discipline, but to different personalities—preachers, ascetics or bishops, who attracted a following. At the end of the fourth century, as Duchesne says, "Rome was full of little Churches. Not to speak of such remnants as there might be of old sects, such as Valentinians, Marcionites, Montanists, and Sabellians, the Novatian Church still continued to exist, governed by a series of bishops, who linked themselves on to the old episcopal succession from St. Peter to Fabian. The African Christians, . . . if Catholics, attended the same churches as the Catholics of Rome; but the Donatists were organized separately under bishops of their own country. . . .

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There were also the Luciferians (followers of Lucifer of Cagliari) . . . who had a bishop named Aurelius; but the most renowned personage of this party was a priest called Macarius, whose austerities were famous. . . . The police, stimulated by denunciations from the Lateran, made life hard for the schismatics."<sup>1</sup> Clearly, then, Christianity at the beginning of the fifth century was by no means a single and united movement. The quarrels of its adherents amongst themselves were as fierce as the opposition which all of them felt to non-Christian religions.

In spite of disagreements, however, all those who claimed to be Christian believed that they had adopted a new way of life and a conception of the universe fundamentally different from Paganism. The new moral ideal and the philosophy or general conception of the universe must be discussed elsewhere. But clearly they were the sources of the power which held Christian communities together. No economic or political changes can account for the extension of Christianity; because the enthusiasm and devotion of the members and officials of the Christian communities scattered about the Roman Empire had no direct reference to law and government, or to the problems of production and distribution. Again, from the earliest times the membership of the Christian Churches was held together, not only by a common outlook, but by certain rituals. All the Eastern religions in the Roman Empire had symbols of initiation; and in Christianity baptism continued to be recognized in the fifth century as a ritual accompanied by "sacramenta" or oaths and promises binding the new member of a Christian Church to avoid the ceremonies and theatrical performances of Paganism. The other great common ritual was that of the Eucharist.<sup>2</sup> The ceremonial meal of bread and wine had developed greatly from the simpler forms of early Christianity; and in the fifth century it was already the most significant of the ceremonies of the Churches.

But organized and traditional rituals in any community produce a class of officials who act in the name of all its members. Thus,

<sup>1</sup> Duchesne, *Early Hist. of Christian Church*, Eng. trans., vol. i, p. 366.

<sup>2</sup> For early Christian ideas see Loisy, *Les Mystères Païens et le Mystère Chrétien* (1914).

the growth of the Christian rituals strengthened the influence of those who began to be called "the clergy"; and by the fifth century a fundamental difference already existed between the clergy and other members of the Christian Churches. Not only as controllers of the common funds and of the organization of Church property, but also as the chief actors in the ceremonies of the Church—bishops, priests and deacons had by that time taken control of whatever influence Christianity might have; and the separation of the clergy from other Christians, especially in ceremonies connected with the Eucharist, gradually made their position more like that of the priesthood in the "mystery" religions. It can hardly be doubted that in a society which believed very strongly in magic of one sort or another, the Christian rituals had gradually acquired some of the characteristics of magical ceremonies. Magic in this sense means the performance of traditional, generally symbolic acts, which are supposed to have effects such as purity from sin or salvation after death, of the reality of which no proof can be offered. Thus, the medieval practice of hanging some part of a vegetable round the neck in order to cure a tumour was clearly magic. And so were many of the cures for disease or for "sin" which were common in the mystery religions of the Roman world. The Christian Churches evolved their own magic.

A childish mind finds it difficult to distinguish between symbolical action and magical practice. A child may be unable to distinguish between the man who is playing the part and the part he is playing; and thus, no very clear line can be drawn by simple minds between the psychological effects of a ceremony or drama and the material or objective results of the action performed. Also, in "the climate of opinion" in which Christianity grew, there was widespread belief that magic could obtain what was desired, or discover the future.<sup>1</sup> Thus the early Christian rituals, which united the members of a Church, had acquired in very early times, and retained in the early fifth century, some elements of magic. Baptism and the Eucharist might be only symbolical of the entry into

<sup>1</sup> In Apuleius, *The Golden Ass*, there is evidence of this climate of opinion. See Thorndike, *History of Magic and Experimental Science* (1923), vol. i.

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communion and the sharing of a common life of Christians; but in proportion as the officials of the Churches became a separate caste, the presbyter or elder naturally became more like the *sacerdos* or magic-worker of the older religions. The efficacy of magical rituals and objects with magical powers was not in dispute in those days. Both Christians and non-Christians generally agreed that celestial Powers could be induced to give help or knowledge, if the correct rituals were used. The only question was which kind of ritual was most effectual. And this climate of opinion, affecting the ceremonies of the Christian Churches, gave a new character to the "clergy." Thus bishops, deacons, priests and other subordinate officials were more and more separated from the general body of Christians. The clergy began to have a mind of its own. It was distinct from the laity and also from the more enthusiastic exponents of Christianity, the hermits, monks and nuns. Above all, the clergy began now to represent the Church itself. The bishops in particular became the embodiments of the common life of their Churches, and the only representatives of these Churches in their contacts with the officials of the Roman Empire. At the beginning of the fifth century individual bishops were the most prominent persons outside the official world, of whom the Roman authorities had to take account; and councils of bishops in the different provinces of the Empire laid down the rules that all Christians, and especially the clergy, had to follow.

In the many different cities (*civitates*) of the Roman Empire the tradition naturally differed as to the manner of selecting the bishop and the kind of person selected. But by the fifth century in all the great cities there had been established a recorded list of bishops, leading back to the days when Christianity first reached each city. In all cases the bishop had become the chief official of the Church or Churches in the city, and the natural representative of the Christian community there. When, therefore, the Christian community at last included the great majority of the inhabitants of the city, the bishop was in practice the most influential person in the district. He held a traditional power as judge or arbitrator among Christians, which was, indeed, only an extension among Christians

the civil and administrative and/or arbitral functions, in Jewish law, in the *bet-din*. In addition the bishop was recognized as judge by the secular Authorities, as in the decree of Constantine of 313 A.D. and A.D. 332 the jurisdiction of bishops was recognized in civil cases even if one of the litigants was unwilling to appear.<sup>1</sup> A later decree of A.D. 452 reads as follows: "The Emperor Valentinianus Augustus to Firminus, Praetorian Prefect and Patriarch: There is dispute as to the jurisdiction of bishops, and therefore we must make a decision by this law. When there is any case between clerics and it is convenient for the parties, let the bishop have the right to judge, but always after an arrangement has been made. This is also allowed by our authority with regard to the laity if they consent; but otherwise we do not allow bishops to be judges unless, as we have said, by agreement between the parties, because it is clear that bishops have no court under the laws or in any but religious cases according to the decrees of Arcadius and Honorius, which the Theodosian Book contains."<sup>2</sup>

The bishop was also the supreme controller of the property and other wealth of the local Church and was in the position of absolute authority over all the clergy of the district. Monks and hermits remained for some years, in the fifth century, either outside the control of the bishop, or only doubtfully under his jurisdiction. But for all practical purposes after this time "the Christian Church," in relation to political and military authorities, is the bishop, sometimes acting alone, sometimes with the bishops of Sees in the neighbourhood, acting in synods or councils.

In ritual, however, the division between the clergy and other Christians, which was characteristic of the social system in the First Europe, had hardly begun in the fifth century. The time was far distant when in a Christian church the clergy were to be enclosed in a chancel, within a screen, near an altar removed from the congregation and placed against a wall or other screen. In the fifth century the table for the commemorative meal in common had not yet become the altar for the "sacrifice of the Mass," as it did

<sup>1</sup> *Col. Theod.*, i, 27, 1.

<sup>2</sup> *Constitutio, Sirm.*, i (Mommsen, ed., p. 907).

<sup>3</sup> *Nor. Valent.*, xxv, April 15, 452. *De episcopali iudicio*.

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later under the influence of Hebrew, Greek and Roman practices. The congregation stood on all sides of the table, as it still does in the older basilicas of Rome; and the officiating bishop or priest faced across the altar towards the majority of the people.<sup>1</sup> The clergy had no distinctive dress and no sacred vestments for ceremonial use, but wore the ordinary fashions of Roman citizens of the fifth and, later, of the sixth century, which became in the Middle Ages a ceremonial costume. As Celestine I, bishop of Rome (A.D. 422-432), wrote: "We, the clergy, are to be distinguished from the laity (*a plebe*) or others by doctrines, not clothing; by our manner of life, not of dress; by purity of mind, and not by adornment."<sup>2</sup> Also, as St. Jerome says, "the clergy should wear their hair short, but not with shaven crowns as the priests and votaries of Isis and Sarapis have it."<sup>3</sup> The language of ritual and sermons was the ordinary vulgar tongue, Latin in the West and Greek in the East.

On the other hand, the beginnings of sacerdotal celibacy in the Latin Churches in the early fifth century already threatened to produce the segregate caste of clergy peculiar to medieval Europe. The Greek Churches have never abandoned the maintenance of married priests, in spite of the extremes of asceticism among Eastern monks. In the Latin Churches, however, the much closer control over monasticism exercised by the bishops seems to have been secured at the cost of accepting for all the clergy that abstinence from sexual intercourse which excited the enthusiasm of monastic reformers. So far as the Canons of the Latin Churches are concerned, the earliest rules against the marriage of deacons, priests or bishops seem to have been those of small local Councils of bishops in Spain and Gaul. Celibacy, or at least abstinence from sexual intercourse by bishops and priests who were already married, was advocated by enthusiasts for many centuries before it was a rule to be enforced.<sup>4</sup>

Women had been excluded from the ritual services of the

<sup>1</sup> Augustine, *Sermo* 46, *de Verbo Domini*. Christus quotidie pascit. Mensa ipsius est illa in medio constituta. See Bingham, *Antiquities of the Christian Church* (ed. 1840), vol. ii, p. 432.

<sup>2</sup> Celestine I, Ep. ii, *ad Episcopos Gall.*, c. 1.

<sup>3</sup> Jerome, in Ezek. xlv.

<sup>4</sup> See Lea, *History of Sacerdotal Celibacy*, vol. i.



Church for the Celibacy of the Clergy in A.D. 352 (Canon xi). And the general feeling of the Church seems to have been generally felt that by the clergy living in an ordinary married life with families, the sexual intercourse should be avoided which was forbidden to the Levites in the Old Testament; and the clergy should be set apart as a holy place. But it was not the general practice even in the Latin Churches in the early fifth century, for the Church was not pastured to married men. A violent controversy even broke out among ecclesiastical writers when Vigilantius, a Spanish priest, maintained that the attempt to enforce celibacy on the clergy led to great evils. Unfortunately for his attempt to restrain the excesses of asceticism, Vigilantius also opposed the increasing use of relics, fasting and self-flagellation. He was attacked by St. Jerome in one of that saint's most abusive, ill-tempered and unreasonable diatribes, on the ground that to admit the marriage of the clergy was to open the way to the excesses of lust. But St. Jerome was on the winning side; and Innocent I. bishop of Rome, in A.D. 405, declared in a letter to bishops in Gaul that priests or deacons who were not celibate should be deprived of their offices. The chief difficulty seems to have been, not so much the continuance of ordinary marriage among the higher officials of the Church, as the attempt to reconcile a belief in the superior sanctity of the avoidance of sexual intercourse with the contradictory belief in the sanctity of marriage. But in practice, although bishops were generally compelled to live separately from their wives, the custom continued for many centuries after the fifth, even in the Latin Churches, that priests and deacons, as well as bishops, should be married. The separation of the clergy from other Christians, however, was promoted by the abhorrence of sexual intercourse, which was vigorously expressed by St. Jerome and St. Augustine. Both of these, in their old age, had reached—as they themselves confess—an abnormal intensity of feeling on the subject. Thus, the personal peculiarities of these two energetic and irrational old men reinforced the ascetic tradition. St. Jerome confesses that he had to retire to the desert because he found himself unable to control his feelings when he passed a

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pretty girl in the street;<sup>1</sup> and he argued against marriage on the ground that the wife might have to arrange a dinner-party at which dancers wearing very little might appear.<sup>2</sup> It is not strange that such a man should imagine that any form of sexual pleasure would lead to overwhelming and uncontrollable passions. As for St. Augustine, in his *Confessions*, he writes, first, that he lived with a concubine for over ten years, and then cast her off. But while waiting to be married to a young lady of fortune, he was unable to control his sexual impulse, and therefore lived with another concubine.<sup>3</sup> Even in the treatise *On Marriage and Lust*, in which he attempts to show that he is not opposed to marriage, he argues that there should be no pleasure derived from sexual intercourse.<sup>4</sup> Both Jerome and Augustine evidently suffered from the after-effects of the Manichean theory that there was something fundamentally evil in what they believed to be "the body" or "material flesh."

But the popular support for an enforced celibacy in the case, at least, of the higher clergy, was due less to asceticism than to the fear that the property and wealth of the Churches would pass into the hands of the families of the clergy, if the clergy were married. This is openly stated in later documents; but even in the fifth century the poorer Christians and the more devout clergy were afraid of the opportunities for enrichment which might fall into the hands of bishops and priests. An unmarried clergy would be likely to feel more acutely the influence of the members of their own order, and would be more easily controlled by councils of bishops. The attempt, however, of those who strove to enforce on the clergy the celibacy which was freely chosen by monks and nuns, tended, as far as it was successful, to separate bishops, priests and deacons from other Christians, and to make them a caste with opinions and interests of its own. This is the earliest sign of the medieval identification of the Church with the clergy, and of later clericalism.

<sup>1</sup> Jerome, *Adv. Vigilantium*, 16. *Pat. Lat.*, 23, "ne forma pulcherrima ad illicitos ducat amplexus."

<sup>2</sup> *Ibid.*, *De perpet. Virginit. B. Mariae*, section 20. *Pat. Lat.*, 23, "tenuitate vestium nudaë."

<sup>3</sup> *Aug., Conf.*, vi, 25.

<sup>4</sup> *Ibid.*, *De Nuptiis et Concupiscentia*, C.S.E.L., vol. 42, p. 215.

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Constantine was included at the list of the great official persecutors of the Christians. The fear on the part of the Authorities, that he might be a "Christian" (as the Emperor Galerius inspired the final attack on the Christians), and later legends described how his persecution of the Christians was caused by the disease from which he died. Galerius Constantine decided that he would seek the support of the Christian Churches. He may indeed have had the vision which later writers describe he may have been influenced by his mother, who was of "the lower class."<sup>1</sup> But much more probably he had in mind the power and prestige of the Christian communities which could be drawn upon, if he had the support of the Christian bishops. In any case, his removal of the seat of government from Rome to a city newly established and called by his name, certainly broke the connection of the Empire with the traditional rites and the established sources of imperial prestige. Rome was full of non-Christian temples and priesthoods; and it was dominated by an ancient aristocracy, which had long acted as a sort of opposition within the imperial Dictatorship, and was committed by tradition to non-Christian ideals. On the other hand, Constantinople, or New Rome, was gradually filled with Christian churches. It had no non-Christian past of any importance; and a new aristocracy, arising in the Court of the Emperor himself, could hardly despise the source of its wealth and prestige.

For almost a century after Constantine the Great had established himself as the only Emperor of the Roman world, the Christian Churches had been developing both in theory and practice their new relations with the Government. The result at the beginning of the fifth century may be shortly described as follows. In the first place, the Roman Empire was a single, highly centralized dictatorship; but the Christian Churches had grown up separately in different cities or towns wherever missionaries had been successful. Therefore, when Constantine decided to seek the support of organized Christianity, it was natural that he should desire the members and officials of all the Churches within his Empire to be

<sup>1</sup> Anon. *Vales. Vita Constantini*. The writer says—"vilissima matre."

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united in practice and belief. Christianity as a whole had rivals, not only in the traditional Roman and Greek forms of religion, but also in the religious movements, which like Christianity had entered the Empire from the East. Mithraism and Manichaeism were probably the chief Oriental rivals of the Christian Churches: and there were many shades of belief and custom among small groups, which more or less approached what is now regarded as the Christian tradition. The chief difficulty of the Churches was, however, heresy. This meant division and disagreement, which weakened the forces from which Constantine proposed to draw his strength. It was therefore important for him to assimilate the organization of the Christian Churches to the unity of the Empire. He had, as an instrument of unity, the established custom that the bishops in different provinces should meet in councils, in order to state the rules which the members of their Churches should follow. These local councils bound together the Churches of different cities; and Constantine's first important act as patron of the new religion was to call the first general council of the bishops of the whole Roman world. This council met under the presidency of the Emperor at Nicaea in A.D. 325. The assembled bishops, of whom very few came from the West, decided to condemn the doctrine associated with the name of Arius; and this decision ruled out, at least for the moment, from the Churches of the Roman world the conception that Christ was in some way less divine than the Everlasting Father.<sup>1</sup> Constantine, at any rate, had the satisfaction of supposing that all the bishops within his Empire would be agreed upon doctrine. The Council also issued rules or canons which for the first time were intended to apply to all the Churches. In practice, however, the agreement reached at the Council of Nicaea did not diminish the number of sects or of Churches and bishops holding different views about the nature of Christianity. Constantine's son and successor, Constantius, was under the influence

<sup>1</sup> At the Council of Nicaea, there were about three hundred and eighteen bishops of whom about five came from the Latin Churches, and two priests representing the bishop of Rome. At the Council of Constantinople (in A.D. 381) there were three hundred and eighty-one bishops from the East and only one, a Spaniard, from the Latin Churches.

of Arius bishop; and so, later on, was the Emperor Valens. But the efforts of the Emperors continued to attempt the enforcement of the faith as defined at Nicæa. Their difficulties seem to have been greater in the East than in the West, largely, no doubt, because the laymen, clergy and monks in the East were more highly educated and more inclined to speculate and discuss the problems of the Divine Nature. This tendency of the eastern Churches to speculation, at times leading to bitter rivalry and murderous riots, may have brought into greater prominence the more accommodating spirit of the western or Latin Churches. The Emperors themselves, at certain times, might look to Old Rome as a source of unity in belief and practice such as they desired to see prevailing throughout their Empire. Thus in the imperial decree on Christian doctrine issued in February 380, the Roman tradition is definitely connected by imperial Authority with the Nicene Creed, and the attempt is made to secure, for those who accept this creed, the title of Catholic. The first part of the decree runs as follows:—

“The Augusti, Gratian, Valentinian and Theodosius: Edict to the people of Constantinople. We wish that all nations subject to the rule of our Clemency shall adhere to that religion which the divine apostle Peter handed to the Romans (as is sufficiently shown by its existence among them to this day), and which it is obvious that the pontiff Damasus follows as well as Peter, bishop of Alexandria, a man of apostolical holiness: so that according to the apostolic discipline and the doctrine of the Gospels we believe in one Deity of Father, Son and Holy Spirit, with equal majesty and merciful (*pater*) Trinity. We order those who obey this law to take the name of Catholic Christians: we pronounce all others to be mad and foolish, and we order that they shall bear the infamous name of heretics and shall not call their conventicles churches. These are to be punished by the divine vengeance first, and afterwards by our action which we have taken under the will of heaven.”<sup>1</sup> Thus Catholic is made to mean, not merely universal as opposed to local, but also united as contrasted with diverse; and the Church in

<sup>1</sup> *Cod. Theod.*, xvi, 1, 2 (February 27, 380). It is not easy to find suitable English for the description of Deity—“*parili majestete et pia Trinitate.*”

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general, or the Church of the whole world from about this time, came to be regarded as more important, at any rate for the clergy, than the separate Churches of different districts.

The second great advantage which the Churches received from the Empire was an official repudiation of non-Christian rites and, by implication, of the worship of the Emperor as divine, which had hitherto been one of the unifying forces of the Empire. In later years—after Constantine—the temples were closed, the non-Christian priesthoods suppressed, and the funds which they drew from the State withdrawn. It is said that the Emperor Gratian, the pupil of Ausonius, was the first Emperor to refuse the title of *Pontifex Maximus*, which made him the head of the traditional priesthood of Rome. The days were still very distant when that same title could be adopted by the bishop of Rome. But obviously the bishops of the Christian Churches in the early fifth century had already obtained much greater influence and authority than had been possessed by any pre-Christian priesthood.

The third great benefit conferred by the Empire upon the Christian Churches was the elimination of all groups claiming to be Christian which did not submit to the discipline or accept the doctrine of the majority of bishops. The majority of bishops might be persuaded to move in one direction or another at different Councils; and the dissentients at any Council did not easily submit to the vote of the majority. These dissident groups were now called heretics; and they included chiefly Arians in the East and Priscillianists and Donatists in the West. As the men of the Middle Ages would have said, the "secular power" was the instrument of the "spiritual authority" of the bishops. But at the beginning of the fifth century it was still doubtful which doctrine and which discipline would be enforced by imperial Authority. Apart from the short period of revived religious antiquarianism under Julian, the successors of Constantine were by no means all of the same opinion about the nature of the Deity worshipped in Christianity. When Constantius, the son of Constantine, and Valens ruled, many Churches were controlled by Arian bishops. The issue, which will be discussed elsewhere, lay fundamentally in the con-

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ception of a man who was God. The Arians in general followed the Eastern or Semitic belief in God as a celestial Power aloof from human affairs; but the Hellenic tradition of hero-worship, and also all of the worship of Emperors in the Roman world, was so strong that the belief in Christ as God inevitably became Catholic and Roman. The tradition of the Roman Empire thus undoubtedly helped the Christian Churches in their opposition to the Arian heresy.

Another advantage which the Christian Churches may be reckoned to have received from the Empire is the right of asylum or sanctuary in the church building. This was an adaptation to the new Christian regime of the old right of sanctuary attached to certain non-Christian shrines and to contact with the statue of the Emperor. A powerful pursuer did not often hesitate to tear his victim from any altar; but in pre-Christian days, as in the Middle Ages, the fear of the magic of supernatural Powers might occasionally restrain the violence of personal hatred or political enmity.

One further point is important for estimating the relationship between the Churches and the Empire. The Empire had been from the beginning a dictatorship with the characteristics of all such forms of government—the suppression of criticism, the influence of a small group of persons in immediate contact with the dictator, who were selected by him as his advisers and agents, and finally, the use of secret agents or of spies and informers. In the earliest years of the imperial dictatorship there had been a survival of criticism and even something approaching an official opposition among the older senatorial families in Rome.<sup>1</sup> But one effect of Constantine's removal of the seat of government from Rome was the reduction to impotence of the older forms of opposition. It is important, therefore, that the Churches, and especially their bishops, began at that time to fulfil some of the functions of criticism and opposition within the dictatorship. The Christian Emperors after Constantine continually attempted to prevent criticism and opposition from any bishops. They used exile and

<sup>1</sup> The position is explained in Boissier, *L'Opposition sous les Césars*.

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imprisonment, even after the fifth century, to reduce recalcitrant bishops to obedience. But the Church had in fact increased its power and organization, at first in opposition to official persecutions and later independently of the civil and military Authorities. The tradition of independence, therefore, survived; and bishops who had a strong popular following, or exceptional moral influence, often defied and sometimes openly rebuked the civil Authorities and the Emperor himself. The example of Ambrose, as bishop of Milan, refusing to admit to the communion of the Church the Emperor Theodosius, remained throughout the centuries that followed an example of the function of the Church as an opposition under dictatorship. On the other hand, the influence of dictatorship in civil and military affairs supported a tendency to dictatorship within the Church. In the fifth century, and indeed throughout the Middle Ages, authority in the government of States and Churches was so ineffectual that an exaggerated value was placed upon obedience. Criticism was feared: opposition, if possible, suppressed. Thus, in the Churches, after the fourth century, bishops became more independent of the whole body of Christians in each Church, and more absolute in their control over persons and property. They naturally, therefore, supported dictatorship in the form of absolute monarchy as the only form of effectual government then conceivable.

### *The Latin Churches*

In western Europe, in the fifth century and after, the aloofness, if not the opposition of the Churches, was increased by the gradual separation of the language and thought of the Latin-speaking world from those of the Greek-speaking Court and bishoprics dependent upon Constantinople. The old Roman language was that of the Churches of the West. And with the language went habits of thought and of emotion, which were associated with the traditions of Roman government, and were quite different from the Oriental attitude towards authority which found expression in the Greek of the eastern Churches. Thus even the accident of a linguistic difference in rituals, creeds, prayers and preaching, tended



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to support the position of the Latin Churches as an opposition to the moral authority of the bishops from the East, the policy of the Christian Emperors, who might claim to be the successors of the Roman Emperors, made it easier for the bishops in the West to enter into close contact with the leaders of the barbarian peoples without appearing to be agents or advocates of the former system of government.

In the early fifth century, under the Emperor Honorius, the established situation in the relations between the Empire and the Churches in the West increased the prestige and power of both. The Emperor and his Court and many of his chief officials professed Christianity, and were regarded generally as responsible for the maintenance of that form of it which was called Catholic and Roman. The Churches, therefore, derived both the power to suppress opponents and the prestige of an official body from the Roman Empire. On the other hand, the influence of the Empire was maintained and extended by the bishops of the Church, especially when the barbarians had destroyed in any towns or territories the Roman military and administrative organization. By such means the moral authority of the Roman system of law survived long after there was any military force to maintain it. Again, the Churches contributed to the prestige of the Emperor and his Empire by their acceptance of his authority as divinely appointed, and by the widespread belief that the Roman Empire was the last established order upon earth before the final dissolution of all things.

Finally, the Latin Churches gained moral authority by the removal of the centre of government to Constantinople. The eighth-century legend, expressed in the "Donation of Constantine," that Pope Sylvester had been left supreme authority over the Roman Empire in the West when Constantine removed the seat of government to "New Rome," is obviously fiction. But it is based on the indubitable fact that the bishop of Rome, after the seat of government had been fixed in Constantinople, gradually acquired prestige as the only apostolic patriarch among the Latin Churches. These Churches were obviously more independent of any civil or military

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authority than those of the eastern Mediterranean. And their independence gave them additional moral authority.

### *The Christian Churches and Civil Government*

The problem of adjusting the traditions of Christianity and of the Empire was not easily solved. Within the Christian tradition the two different attitudes towards government, and the "world" generally, were equally strong. On the one hand, the monastic tradition, developed in Egypt and Syria, had spread to the provinces of the West. Thousands of men and women, who claimed to be in the truest sense Christian, left the cities and lived in deserted places or adopted a manner of life within the cities which separated them entirely from their fellows. The moral standards and the conception of the ideal life among such men and women will be discussed later. Here it is necessary only to note that their influence tended to weaken the Roman system of government and the development of normal civilized life. Hence the hostility to them expressed by Rutilius Namatianus.<sup>1</sup>

Among the most influential of Christians who adopted the attitude of aloofness towards the world was St. Jerome. His writings express most fully the fear of the normal relations of life, which drove men and women into solitude. He lamented, indeed, the downfall of Rome; but he showed no desire whatever to do anything to prevent it, and had no feeling of responsibility for the maintenance of the system upon which civilized life depended. His concern was with the salvation of his own soul after death and with the instruction of devout ladies—his followers—in the avoidance of marriage and of social intercourse. On the other hand, the tradition that Christians should maintain the authority of an established Government is represented by such writers as St. Ambrose and St. Augustine; and the Churches of the West found it increasingly impossible to refuse responsibility for the established order as their membership increased to include nearly all the inhabitants of each city, and as their properties increasingly required the protection of law.

<sup>1</sup> Rutilius Nam., *de Reditu*, i, 440.

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In practice the two different attitudes affected the Churches differently in the selection of bishops. It was still the custom at the beginning of the fifth century that the bishop of a Church should be elected by all its members. Usually this election took place by a sort of acclamation in the chief church of the neighbourhood. And the name of a possible bishop would, no doubt, be suggested by the clergy, or even by the bishops of neighbouring Sees, who met for the election. Sometimes accident seems to have suggested the name of the bishop, as at the election of Ambrose to the bishopric of Milan, when a child is said to have cried out, "Ambrose is bishop."<sup>1</sup> Sometimes, indeed, there was violent controversy between the advocates of different candidates for the See. At the election of Damasus as bishop of Rome, for example, by a majority of the clergy and people, another candidate had already been elected in another church by a small number of clergy and people. After some fighting, the opponents of Damasus, who had barricaded themselves in the church now called Santa Maria Maggiore, were assaulted, stoned, and many of them slain by the supporters of Damasus. At a later date there is an interesting account of the election of a bishop after some disagreement as to the candidates, in a letter of Sidonius Apollinaris.<sup>2</sup> He writes as follows:—

I cannot delay an hour in letting you know of an event which must cause you the greatest pleasure, anxious as you were to learn what success attended the piety and firmness of our Metropolitan and Father in Christ, Patiens, upon the occasion of his visit to Châlons. He went to ordain a bishop of that town, where discipline had been imperilled after the retirement and subsequent death of the young bishop Paulus. Some of the provincial bishops formed his escort; others had preceded him. When the episcopal council met, it found that the opinion of the citizens was not unanimous, and that there existed private factions of the kind so ruinous to the public welfare. The presence of three candidates aggravated these evils. The first had no moral qualifications whatever, but only the privilege of ancient lineage, of which he made the most. The second was brought in on the applause of parasites, bribed to support him by the free run of a gourmand's table. The third had a

<sup>1</sup> Ambrose had not even been baptized, when thus selected.

<sup>2</sup> Sid. Apoll., Ep. iv, 25, trans. by Dalton, ii, p. 46. Letter to Domminulus of A.D. 470.

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tacit understanding with his supporters that if he attained the object of his ambition, the plundering of the Church estates should be theirs. Seeing this, the holy Patiens and the holy Euphronius determined that no thought of odium or popularity should move them from the firmness and severity of the saner judgement. They communicated their intention to their fellow bishops in secret conclave assembled before they made it public. Then, with a complete disregard of the unruly crowd, they suddenly joined their hands upon the holy John, a man conspicuous for an honourable, humane and gentle life, and without the faintest suspicion of what they proposed, or the slightest desire for preferment. This John was first a Reader, and had been a server at the altar from his tender years. In course of time and strenuous duty he became archdeacon, in which office or rank his efficiency kept him back; they would not give him promotion because they did not wish to relieve him of functions he performed so well. Such was the man, a member only of the second order, on whom they laid their hands to the perplexity of the factions which had no acclamations ready for one never even put forward for the office, but dared not at the same time say anything against a man whom his own career acclaimed. So, to the stupefaction of the intriguers, the rage of bad citizens, and the delight of the good, without one dissentient voice, they two consecrated their new colleague.

The contrast in this case was that between saintliness and simony, not between aloofness from worldly affairs and practical ability. But clearly the bishop who would have control of the properties of the Church and the support of the needy, besides being practical, must also be honest. Not unnaturally, those who intrigued for a bishopric were suspected of having a desire for wealth and power. The majority, however, in every Church preferred a bishop who was capable as well as benevolent.

The two different attitudes of Christians towards the social order—opposition or acquiescence—may be perceived in the fifth century in the difference between the two different types of men selected as bishops. On the one hand, the devout and enthusiastic preferred to have as a bishop a man of saintly character from the monastic tradition of asceticism and aloofness from the world. On the other hand, the clergy, and perhaps the majority of those who were concerned with the administration of ecclesiastical property and its use in charity, or with the relation of the Church to the

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civil Authorities, preferred to have as their bishop a man of education, of wealth and social position, and of some administrative experience.

An example of the ascetic type of bishop is Saint Martin of Tours. He had been a soldier, but had retired as a hermit to a hut near Tours. His holiness attracted the people, who demanded that he should be elected as bishop of Tours. According to the writer of his life, Sulpicius Severus, some of the bishops who had been summoned for the election said that Martin was unsuitable because he had an undistinguished face, dirty clothes and untrimmed hair.<sup>1</sup> Martin was, however, elected; and his activities, according to his biographer, were largely concerned with destroying Paganism in his diocese. He died in A.D. 397. Another example of a bishop taken from the ascetic tradition is Paulinus of Nola. He had been a man of property in Gaul and a friend of Ausonius. He lived for some time in Barcelona and there married a wealthy lady; but both determined to give up their wealth and to retire to a small estate of his at Nola, near Naples, and there pay their devotions at the tomb of St. Felix. His home there he describes as a monastery;<sup>2</sup> and, apparently after the death of his wife, he was chosen bishop of Nola. There and at Fundi, where also he had property, he built and adorned churches in honour of St. Felix, the decoration of which he describes in detail in a letter to his friend Severus.<sup>3</sup> The churches were covered with paintings and verses, and in one of the many hymns which he wrote in honour of St. Felix he says that the decorations were planned to attract those "who had come for prayer and not for feasting."<sup>4</sup> He was bishop of Nola in A.D. 410 and continued to live there until he died at the age of seventy-eight in A.D. 431, apparently quite untouched by the political vicissitudes of Italy. He visited Rome occasionally for the feast-day of the bishop of Rome at the time; and in his letters he describes the devotional exercises which filled his time there. He does not seem to have been interested even in ecclesiastical affairs,

<sup>1</sup> Sulpicius Severus, *Vita S. Martini*, Section 9.

<sup>2</sup> *Ep.*, v, 15.

<sup>3</sup> *Ibid.*, xxxii.

<sup>4</sup> *Carm.*, xxvii, 398, "quos huc ad sancti justum Felicis honorem duxerit orandi studium, non cura bibendi."

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for his mind was concentrated on the "inner life" as expressed in his famous apology to Ausonius: "Even so in these days also they who with pure hearts have adopted Christ are wont to live—not as beside themselves, nor out of savagery choosing to live in desert places; but because, turning their faces to the stars on high, contemplating God, and intent to scan the deep wells of truth, they love repose void of empty cares, and shun the din of public life, the bustle of affairs, and all concerns hostile to the gifts of heaven both by Christ's command and in desire for salvation."<sup>1</sup>

Evidently bishops like Martin and Paulinus belonged to the tradition of unworldly Christians who are not concerned with the difficult problems of law and government, trade and industry, or with the relation of the Church to such problems. Indeed, on the assumption, which was, no doubt, accepted by the majority of Christians in the fifth century, that the world was near its end, maintenance or destruction of the social system was of no account.

On the other hand, the majority of the bishops of the Churches in the West were men with administrative ability, who were willing to play a part in the control or direction of the social forces of the time. Such were St. Ambrose and St. Augustine, and the great majority of the bishops elected by the Church in Rome. In Gaul, where the Arian kings of the barbarians ruled during the fifth and sixth centuries, the bishops were generally men of ancient and wealthy Roman families, such as Sidonius Apollinaris, Simplicius, bishop of Autun, and Gregory of Tours.<sup>2</sup> Such men had not only the confidence of the majority of the population in their diocese, but were also able to exert an influence over the barbarians because of their greater knowledge, their obvious culture and the skill that many of them had acquired in the public services of the Roman Empire.

The position of the bishops in relation to the civil Authorities may be briefly summarized under three headings. They assisted the

<sup>1</sup> "Non inopes animi neque de feritate legentes  
desertis habitare locis; sed in ardua versi."

<sup>2</sup> Greg. Tur., *G.C.*, 76, *Pat. Lat.*, 71, col. 883. Simplicius de stirpe nobili, valde dives in opibus saeculi nobilissimae conjugi sociatus . . . propter illam saeculi dignitatem . . . a populo eligitur.

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civil Authority and were assisted by it in establishing greater unity of doctrine and practice among Christians. Secondly, the bishops often organized resistance against barbarian conquest or tyranny; and thirdly, when barbarian conquest was achieved, the bishop might act in favour of compromise or the adjustment of claims between contending barbarian warriors or between conquerors and conquered.

At the beginning of the fifth century an instance of the relation between the imperial Authorities and the bishops in Africa is to be found in the record of a discussion held in Carthage in A.D. 411 between Catholic and Donatist bishops under the presidency of the Roman Tribune, Marcellinus.<sup>1</sup> Thus, about six months after the sack of Rome by Alaric, the bishops of Africa were trusting to the imperial Authority to decide which of them should control the Churches. Among the Catholic bishops was the great Augustine himself. The presiding Tribune calls him to order when he attempts to evade answering a question.<sup>2</sup> On the other hand, the Donatist bishops declare that they cannot understand the sort of Latin spoken in Rome, and demand that their own African Latin should be used.

St. Augustine himself was in no doubt that the Church should expect from the civil Authorities the persecution of heretics; and his use of the phrase in the Gospel, "compel them to come in," was accepted for many generations after him to support the idea that Christ himself approved of persecution as a means of inducing heretics to conform.<sup>3</sup> This attitude of the bishops towards the civil Authority was, no doubt, common throughout the Roman world; and the function of persecutors in the name of Christianity was publicly accepted by the imperial Authorities and expressed in many sections of the Theodosian law-books. It was assumed that, as the bishops expected the civil Authorities to assist them, the

<sup>1</sup> The fullest account of the early days of this discussion is to be found in Mansi, *Concilia*, iv, 410 sq.; and a short summary of the rest of the discussion is in St. Augustine's works.

<sup>2</sup> Mansi, *Concilia*, iv, 241. Marcellinus to Augustine: "ad quaesita responde"; and again (col. 246): "Ad interrogata respondere dignare."

<sup>3</sup> The phrase is in Luke xiv, 23; and is obviously quite irrelevant in a discussion of persecution. The phrase is used as the title of a small book "Contrains les entrer," attacking St. Augustine and persecution, issued under a pseudonym (Th. Brugge) by Bayle, about 1655. See Augustine, *Ep.* 93, 5, C.S.E.L.

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bishops themselves would use their influence to support whatever Emperor happened to reign, by whatever fraud or violence he might have attained his position.

The most striking transformation, however, of the position of the Churches occurred during the barbarian invasions of Gaul and Italy in the fifth century, when many bishops of important Sees assisted or actually organized the defence against the invaders. During the earlier invasions of Gaul certain bishops undertook the duty of providing for the military defence of the citizens under their care. Sidonius Apollinaris, chosen as bishop of Averni (Clermont) in A.D. 471, was regarded as a leader of the defence of Auvergne against the Visigoths in A.D. 474. But in spite of a momentary truce, Auvergne in the following year was under the complete control of Euric, the king of the Visigoths; and the bishop, at first banished, suffered later from the hostility of Arian priests who had the support of the Visigothic king. Many bishops were thus compelled to accept the new Gothic rulers; and when their cities lost the defence or support of the Roman Empire, they remained representatives and advocates of Roman civilization at the Courts of the new kings.

When, however, the Huns under Attila were known to be approaching Gaul, the bishops in general seem to have made common cause with such Gothic rulers as were willing to combine with the Romans against the new invaders. Attila crossed the Rhine in A.D. 450 and first pillaged Trier. Bishops and priests were slaughtered at Tongres, Arras, Laon and Rheims; and Attila marched from Metz, where the bishop had not been killed, to Orleans. The bishop of Orleans, Anianus (St. Agnan), set out for Arles to ask for military help; and he secured it from Theodoric the Visigoth, whose forces relieved Orleans when the pillage of the city was already beginning. Attila was then approached by Lupus, bishop of Troyes, already seventy years old, who besought him to spare the people of that district. Lupus was granted his request; but he was taken by the Huns as a hostage in their retreat.

This same bishop, Lupus, is connected with an earlier resistance to barbarian invasion. He and Germanus, bishop of Auxerre, are



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said to have gone over from Gaul into Britain to counteract the influence of the British heretic Pelagius; and while they were in Britain the barbarians of the North together with the Saxons invaded the areas settled by the Romans. Germanus and Lupus are said to have encouraged the Britons to resist, to have baptized those in the British army who were not Christians, and soon after Easter, A.D. 430, to have devised the method by which the Britons routed their enemy. The two bishops had urged the Britons to make their stand in a narrow valley, and on the approach of the enemy to shout loudly three times "Alleluia"—which is said to have resulted in complete victory over the pagans.

In spite, however, of attempts at organizing resistance and at the "appeasement" of conquering barbarians, new barbarian kingdoms were established by the end of the fifth century in complete independence of the Roman Empire. The bishops had then to face a new situation. Political and military power were neither imperial nor Catholic. The population of *Romania* was subject to the rule of barbarians who were Arian heretics. The bishops, therefore, who alone still retained moral authority over this population, had to make some changes in the relations between the Churches and the kings. In most cases they sacrificed their connection with the Roman Empire in order to secure some justice and liberty for their own congregations. They acted as intermediaries between the subject Roman population and its barbarian rulers, urging wherever possible some consideration for the victims of the conquest. An example of work done by the bishops is to be found in the labours of St. Epiphanius, bishop of Pavia. When Ricimer desired to send an ambassador to Anthemius in Rome in A.D. 471, Epiphanius was chosen as a man who would be "respected by anyone who is Catholic and Roman";<sup>1</sup> and he made peace between them. At the time of Euric's accession to power at Toulouse, Ennodius says that the same bishop thought that friendship might be preserved between kings which could not be maintained by arms; he therefore went to Euric to persuade him "that he should not use the

<sup>1</sup> Ennodius, *Vita S. Epiphani*: "Quem venerari possit quicumque, si est Catholicus et Romanus." See above, Chapter III, p. 140.

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sword against the boundaries of the Empire lest the Lord of Heaven should be offended, and reminded him, as king, that there was a King above him who proclaimed peace.”<sup>1</sup> Under Odovacar, Epiphanius secured a remission of taxes for his people and protested against the exactions of a royal officer. When Theodoric invaded Italy, Epiphanius met him at Milan and together with the bishop of Milan asked for an amnesty for those who had supported Odovacar. Theodoric is said to have told them in reply to look at the empty fields and vineyards of Liguria. The Burgundians had taken captive many thousands of the inhabitants of Liguria to sell as slaves at Lyons. Epiphanius and Victor, bishop of Turin, then went to Gundobad, king of the Burgundians, with money; and the king ordered his minister to release those who had been captured and to sell cheaply those who had fought. As a result, six thousand men and women were able to return to their own land. But when the bishop had led back this great army of ransomed slaves, they besought him to intercede for them against taxation; and he undertook the journey to Ravenna. On his return he caught a chill and, “owing to the lack of skill of the doctors,” he died in A.D. 497.

A more famous example of the efforts of bishops to ward off barbarian invasion is the journey of the bishop of Rome, Leo I, to meet Attila in northern Italy in A.D. 452. Attila and his Huns were threatening to attack Rome when Leo, together with two senators from Rome, persuaded him to withdraw to the Danube. His success gave immense prestige to the bishop of Rome as a defender of the Roman Empire and a peacemaker. And in a letter written fifty years later by some eastern bishops to Pope Symmachus (about A.D. 510), the example of Leo is quoted as follows: “If your predecessor, the archbishop Leo, now among the Saints, thought it not unworthy of him to go himself to meet the barbarian Attila, that he might free from captivity of the body not Christians only but also Jews and pagans, surely your Holiness will be touched by the captivity of soul under which we are suffering.”<sup>2</sup> This letter implies that Attila’s success in Italy would have resulted in the reduction of thousands of the inhabitants to slavery; but it is not

<sup>1</sup> Ennodius, *Vita S. Epiphanii*.

<sup>2</sup> *Pat. Lat.*, 62, col. 63.

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known how Leo contrived to persuade Attila to leave Italy, nor indeed whether Attila had not already decided to retire eastwards for strategic reasons. A few years afterwards, however, there was danger again. In A.D. 455, a raid of the Vandals from Africa approached Rome; and Leo went out with a procession of the Roman clergy to attempt to persuade the Vandal king Gaiseric not to sack the city. The Vandals, however, entered Rome and went off with much treasure. Leo had failed; but the bishop of Rome was evidently the only person in authority who faced the barbarians as an opponent.

During the barbarian invasions of the fifth century the bishops of the Catholic Church evidently stood as far as possible on the side of the Roman Empire, or at least in defence of those who had been Roman subjects. In all cases this position of the officials of the Church was rendered easier because the barbarian invaders were Arians and had with them Arian clergy who might prove to be dangerous rivals of the reigning bishops, and did in fact, at least in Africa, incite the new rulers to persecution of the Catholic clergy. Throughout the western world the bishops of the local Churches were men whose language and culture were Roman, and who were often men of wealth and power in the Roman world. They would naturally, therefore, look to the Roman Emperor as the true representative of divine authority in the political sphere. But the position of the bishop of Rome was even more intimately bound up with that of the Roman Emperor. Leo himself was in the closest possible touch with the Emperor Valentinian III and his devout mother, Galla Placidia.

In spite of the bishops, however, barbarian kingdoms took the place of the Roman Empire in the West; and the bishops therefore were compelled by the new situation to change their attitude towards political authority. It became necessary for them to recognize as in some sense legitimate the rule of barbarian kings; and their policy was directed to increasing their influence in the new situation. Under Arian kings, who were not violently anti-Catholic, the bishops retained their ecclesiastical and some of their civil powers. In Africa alone was there any opposition to the Catholic

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clergy. In Italy, when Odovacar made himself king in A.D. 476, the bishop of Rome, Simplicius, seems to have felt no difficulty in accepting such authority as the new Arian king might claim; but he still continued to communicate with the Emperor at Constantinople on the old basis, as a subject with his ruler. The discussions between Simplicius as bishop of Rome, and the authorities at Constantinople, both ecclesiastical and political, were concerned with doctrinal matters; but he wrote to the Emperor as an authority having some legitimate power in ecclesiastical matters.

When Theodoric took the place of Odovacar as king of the Goths in Italy, the Pope and the Catholic clergy of Italy were separated from the Emperor and the Eastern Church by disagreement on doctrine. And Theodoric in A.D. 498 heard the appeal of the Roman Church, as an arbitrator in the disputed election of that year for the bishopric. The king decided that Symmachus, who had been elected bishop of Rome on the same day as Laurentius, should hold the See; and thus an Arian barbarian king of Italy took action with the same sort of authority in deciding ecclesiastical disputes as to the succession in a Catholic bishopric, as might be granted by all the Churches to an Emperor. Within the boundaries of what had been the western parts of the Roman Empire the position of the bishops with regard to the civil and military authorities, who may be regarded as "the State," was ambiguous and experimental during the first stage of the transition from the Roman Empire to medieval Europe. All the bishops, and particularly the bishop of Rome, looked to the Emperor at Constantinople as the true representative of civil authority; but all were compelled by circumstances and by the policy of acquiescence, where Arian kings did not persecute, to establish a new relationship between the Church and the civil and military Authorities.

The extension of the Christian Church outside the boundaries of the Roman Empire created new problems. Originally the Christian communities had been small and select companies of men and women in the cities of the Empire; and Optatus, the bishop of Milevis in Numidia, had quite clearly written in about A.D. 370 that the Church is "within the Empire, not the Empire within the

Church." But missionary activity soon carried Christianity into regions hitherto untouched by Roman authority; and it was largely through the capture of slaves and the trade in slaves that Christianity was thus spread. The two most important examples of this extension of Christianity were the results of the work of Ulfilas among the Goths, and of St. Patrick among the Irish. The missionary work of Ulfilas led to the conversion of the Goths and Vandals. He worked as bishop in the lands near the Danube between A.D. 350 and A.D. 380; and translated the bible into Gothic, omitting the books of *Kings*, on the ground that they were too warlike; because he believed that the Goths were warlike enough already. But his own Christianity and his ordination as bishop were derived from bishops who held the Arian view of the Deity; and, therefore, almost by accident, the Goths and Vandals knew of Christianity only in its Arian version. If in addition, as seems to be the case, their Arian bishops and priests used the Gothic language in religious ceremonies, they were all the more separated from the Latin Christians over whom later their kings were to rule. Thus heresy, which the barbarians inherited, as Salvian says, through no fault of their own, led at a later date to political difficulties and affected very deeply the relations of the Latin Churches to the barbarian kingdoms of the fifth century. Arian or Gothic Christianity, after the conversion of the barbarians, entered the western parts of the Roman Empire as the religion of its conquerors. Their conversion, indeed, made it easier for Christians within the Empire to accept them as agents of Divine Providence, as it has already been shown in the quotations (in Chapter II) from Orosius, with reference to Alaric; but the ultimate effect of the work of Ulfilas was to disturb the Latin Churches rather than to extend the territories in which Christianity prevailed.

The work of St. Patrick had quite different effects. He was a Briton under the Roman government of Britain at the end of the fourth century, the son of a Christian deacon, who was a municipal councillor, and the grandson of a priest.<sup>1</sup> He was captured, probably on the coast of Glamorgan, by raiders from Ireland; there he lived

<sup>1</sup> *Patricii Confessio*, in *Pat. Lat.*, vol. 53, col. 801 sq.

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for six years as a slave and, after his escape, he went back to Ireland to preach Christianity. His own Christianity was influenced chiefly by that current in Gaul<sup>1</sup> where he studied before returning to Ireland. The result of his activity and that of later missionaries was the development of a strong Christian movement in Ireland, dominated by monastic ideas and organization. Ireland had never been touched by the Roman Empire, and it was now won by the Latin Churches. But differences of practice in the keeping of Easter and in the wearing of the tonsure led in later years to controversy between those who maintained the Irish and the Roman traditions respectively. With the growth of Christianity in Ireland learning and the arts also grew; and from Ireland the people of Scotland and northern England eventually derived their Christianity. In this case at least the extension of Christianity was in no sense dependent upon the power or prestige of the Roman Empire. The relations between the bishops and kings of Ireland and northern Britain were therefore quite free of the difficulties that arose from loyalty to the Roman Empire in other parts of the western world.

### *The Latin Bishops and the Roman Empire*

The establishment of organized authority in the Christian Churches before the political and military systems of medieval Europe arose, greatly increased the influence of the bishops in the social system which followed the disappearance of the Roman Empire in the West. The bishop of the congregation or Church in any city or town gradually acquired the authority of the civil as contrasted with the military officials of the Empire. And the bishop had the additional advantage of being in some sense chosen by local public opinion. He was generally a man already well-known in the district before he became bishop, and was not, like so many Roman officials, a stranger resident only for a time. Like the governor of a British Colony to-day, the Roman official in the last days of the Empire in the West had no intention of remaining in the district he governed. But the bishop belonged to his See. Again,

<sup>1</sup> This is implied in the *Confessio*, section 19, "*eram usque Gallias visitare fratres et ut viderem faciem sanctorum Domini mei.*"

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the bishops of neighbouring Sees had begun even before the fourth century to meet in Synods and Councils, not only for the election of new bishops, but also to agree upon rules called canons by which their Churches should be governed. The bishops of the western Churches, therefore, were gradually building up in the fifth century a form of federal government which eventually, under the Metropolitans and the only patriarch in the West, the bishop of Rome, survived into the Middle Ages. The strength of the Churches, and especially of the bishops, as against kings and other civil authorities, lay in the much more efficient organization for unity on a scale larger than could be maintained in those days by military forces.

Again, the division of civil from military officials, begun by Diocletian and confirmed by Constantine, had accustomed the Roman world to a distinction between public functions—service, on the one hand, and power on the other. The civil Authorities, Praetorian Prefects and Vicars under them, had dealt with final appeals in the law-courts, the imperial post, public buildings, the *collegia* or public associations, the control of prices, the corn-supply and recruiting, and the organization of higher education. They had some theoretical superiority over the military commanders within their jurisdiction. But by the end of the fifth century the civil administration of the Empire in the West had broken down and the military organization had been “barbarized.” The natural result was that the bishops as representatives of Roman culture took over the functions of the old *civil* authorities. They were already judges under the imperial decrees. They had care of the churches, which had become already the chief public buildings. They organized the relief of the indigent; and they supported whatever was left of education. Thus the connection between the Church and the School, which dominated the Middle Ages and still survives in England and her colonies, was the result of the accident that the barbarian rulers of the fifth century could neither read nor write. Hence also the connection of the Church with poor-relief and “public works” in the Middle Ages. There is nothing in the “nature of things” to decide whether Church or State shall control education or other public services; and what medieval writers took as the

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divine dispensation in dividing "spiritual" from "temporal" powers, was in fact only the effect of the Roman system of Diocletian.

The fact that all the bishops and the great majority of the Christian people in the West used Latin as their ordinary language, gave them an immense advantage over their barbarian conquerors. The different forms of Germanic or Gothic dialects, used by the barbarian warriors as well as by their Arian bishops and priests, divided one barbarian kingdom from another. And for the practical problems of administration and law, barbarian rulers were rendered less competent by the limitations of dialects, which had no means of expressing the complicated relationships of the more civilized Roman world. Indeed the barbarian kingdoms of the fifth century, as will be shown later, were compelled to have even their own traditional customs formulated in Latin. The Latin language, therefore, which was the common speech of western Europe as well as the language of the Christian literature and rituals of the West, united the subjects of the different barbarian kings and separated them both from their conquerors and from the Empire and the eastern Churches, whose language was Greek. In the fifth century Latin had not yet become the language of a caste and of traditional rituals, distinct from the language of common folk, as it was in the Middle Ages. But as early as the sixth century it was possible to note differences in the Latin of the different countries of western Europe and Africa, although Latin of some sort still remained the only adequate means of communication between educated men and women and between those who lived in different parts of western Europe.

Another important effect of the distinction between the Latin-speaking Churches and the barbarian kings and warriors was the final exclusion of the Arian heresy from western Europe. Undoubtedly the bishops of the West, quite apart from questions of doctrine, felt a natural hostility to bishops and priests who depended for their influence entirely upon invading barbarian kings. And probably the Latin bishops were greatly superior in general culture, and in their knowledge of affairs, to the clergy which followed in the train of barbarian armies. The efforts of the Catholic bishops



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to convert Arians as in the case of bishop Avitus and the Burgundians, but not merely attacks upon doctrinal differences. The case was no doubt, as there had been in the case of the Donatists, a desire on the part of the Catholic bishops to strengthen the Christian Churches by uniting in them all who claimed to be Christian.

A general theory of the relation between the Church and the State was already taking shape in the fifth century; but theory then, as always, was only an attempt to express in more general terms the character of a particular situation. Actual bishops had to deal with actual kings; and they did so by letters or sermons or commentaries upon sacred literature or past history. The letters, for example, of Popes to Emperors arose out of particular difficulties; and the general ideas concerning the relations of the Church and the civil Authorities were gradually developed out of solutions of these difficulties, adopted from time to time. But it would be misleading to suppose that in the fifth and sixth centuries the relations between the bishop of Rome and the Emperor at Constantinople were the most significant of the relations between the Church and the "State" in western Europe. It would be still more misleading to apply the ideas of bishops of Rome in the fifth or sixth centuries to the relations of "spiritual" and "temporal" powers, when the so-called Holy Roman Empire of German kings was in existence. The controversies of the later Middle Ages in the time of William of Occam did indeed turn upon the relationship of Pope and Emperor; but that was a much later development, which was largely due to the creation in A.D. 800 of a "play Emperor" to whom the Pope could appeal.

Even in the fifth century, however, the letters of the bishops of Rome provide most of the evidence for the attitude adopted by bishops of the Church towards the civil Authorities. In each case the position of the particular bishop and Emperor made a difference to the theory expressed. But as the years passed in the fifth century, the division between civil and sacerdotal authority became clearer. Pope Leo I, the representative, as described above, of Roman prestige in opposition to barbarism, wrote to the Emperor at

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Constantinople that "human affairs cannot be safe unless the regal and sacerdotal authorities combine to defend the faith."<sup>1</sup> And in a later letter to a new Emperor he wrote that the Emperor's position is granted to him, not only to rule the world, but to defend the Church.<sup>2</sup> Again, Pope Gelasius (A.D. 492-496), who succeeded to the bishopric of Rome during a schism between the eastern and western Churches, spent most of his energy in asserting the supremacy of the Roman See within the Churches. But in a treatise he declares that, although Melchizedek had been both priest and king, since the time of Christ the priesthood had been divided from kingship, and bishops were dependent upon the Emperor for civil government.<sup>3</sup> The phrases of Leo and Gelasius were used in later centuries to support the medieval theory of "spiritual" and "temporal" powers; and they were so used, without regard to the context in which they had first appeared, and generally in ignorance of the political situation which had given rise to them. But the ideas and emotions drawn from traditional phrases are usually quite unlike the ideas and emotions which those phrases originally expressed. And, therefore, the preservation of a doctrine or of a theory often becomes merely the retention of a form of words whose meaning has become either unintelligible or at least quite different from that originally intended.

The fifth century left the Churches of the West more closely related among themselves and more dependent upon a policy of their own with regard to civil government and to armed force. The disappearance of imperial Authority in the West made the unity of the Latin Churches all the more striking; and the bishops as well as the clergy and laity under them were conscious of maintaining, not merely a common religious faith and moral standard, but also what remained of Roman culture. Finally, the bishops had a moral authority over clergy and laity which rested entirely upon their selection for their office and the services they performed, and did not depend upon any form of military force. Thus, in the tradition of the Churches, moral authority as the basis of govern-

<sup>1</sup> Leo I, Ep., lx.

<sup>2</sup> Ibid., Ep., clvi.

<sup>3</sup> *Tomus de Anathematis vinculo. Pat. Lat.*, 59, col. 102.

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ment and social organization was entirely unsupported by physical compulsion. On the other hand, the barbarian kings and their warriors obviously depended for their control over their subjects upon their military power. But although the conquest of new territory and the control of new populations might be secured by force of arms, this could not provide a basis of right or justice against any usurper or invader who might try his hand at displacing a former conqueror. Even the barbarian kings and their warriors, therefore, were compelled to look for some source of moral authority in support of their rule; and they found it in the Churches through their relationships with the Catholic bishops. Thus, the history of the barbarian kingdoms in western Europe and Africa during the fifth century is a proof of the dependence of even the crudest type of government upon moral authority rather than upon force.

### *General Conclusions*

By the end of the fifth century the Latin Churches, so far as their dominant policy was concerned, had escaped from the dilemma of aloofness and acquiescence by generally accepting the policy of acquiescence. The conception that the true Christian ought to remain aloof from the business of life was preserved, as it will be explained later, in monasticism; but the great majority of the bishops of the Latin Churches accepted the necessity of supporting law and government, commerce, marriage and the applied arts. Aloofness had been natural in the communities of early Christianity, which had consisted largely of the poor and helpless. It was natural in later years, even among the rich, when the imperial dictatorship had withdrawn power and responsibility from them. But apart from a few eccentrics who sought to hasten their departure for another world, the majority of Christians seem to have felt that even a saint must have some food and clothing and shelter, and, if possible, security from murder or slavery. But this implied that the Christian should at least not put obstacles in the way of production, trade and government.

The responsible officials of the Churches were, therefore, driven

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by the decline of Roman authority to increase their support of such government as was possible. The decline in the power and moral authority of the Roman system in the West left the bishops and clergy of the Latin Churches without the support of the structure of law and government upon which the properties and civilized customs of the Christian communities had depended. If they had adopted as a policy the doctrine of aloofness from worldly affairs, the whole of western Europe would have returned to primitive barbarism. But instead they maintained for their own communities, which now included the majority of the inhabitants of the towns and cities, the Roman tradition of social organization, and Roman skill in the applied arts of building and agriculture. This involved the acceptance of the Roman principles which governed, among other matters, the holding of property and the use of armed force. It became clear, in the circumstances of the fifth century, that, for example, the use of armed force could not be considered morally right or wrong for Christians except as part of the general problem of the art of government. In actual administration it was impossible to isolate certain parts of the governmental system, and reject these while maintaining the rest. Justice in accordance with law was obviously impossible if any strong man could take what he desired without resistance. Whether or not armed force ought to be used clearly depended upon the nature of government, and could not be decided as an isolated problem of personal virtue.

To acquiesce, however, in the established methods of government involved in practice submission to the barbarian kings who had taken the place of Roman provincial governors. Thus, the Latin Churches were able to survive the Roman Empire in the West. But the new position of the bishops as subjects of independent kings, had several strange results. In the first place, authority was sought for their acquiescence in barbarian rule in certain passages of the Old and New Testament which seemed to support the doctrine of general acquiescence in any established order. Thus Christianity, which in its earliest years had seemed to imply, if not revolution, at least opposition to the established order, gradually

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became one of the chief supports for any order that happened to be established. Secondly, the Christian communities had discovered for themselves the use of organization for the preservation of their properties and the support of their members. And they had also found the need for officers and for rules (canons) of admission to the community and exclusion from it. They had thus learnt in practice the art of government. They had now to extend their experience.

Finally, when the Latin Churches and their bishops found themselves under the military control of barbarian kings, their conceptions of government naturally remained the same as they had been under the Roman Empire. The barbarians had nothing new to offer either in law or in the applied arts of civilization. The Christian communities had no general principles of their own in such matters. The earliest Christianity was one among the mystery religions which offered to its adherents individual salvation. And it had no concern with the larger aspects of government, production and trade.<sup>1</sup> Therefore, in the fifth century the bishops derived their political and economic ideas from the Roman system. Acquiescence in the establishment of barbarian military power left most of the organization of social life—marriage, inheritance, trade, agriculture and building—what it had been before—that is to say, Roman. The bishops, therefore, in their policy of acquiescence, had the advantage of introducing among the barbarians whatever survived from Roman civilization. Thus, the Christian communities of the fifth and sixth centuries preserved and extended, amid the disorders of the time, the tradition of civilized life. And they did so, not as Christians, but as Romans. It has sometimes been said that Christianity brought civilization to medieval Europe; but it would be truer to say that civilization brought Christianity.

<sup>1</sup> The later effort to extract political principles from detached sentences, such as "Render unto Caesar . . ." could not supply a consistent social philosophy. As R. H. Tawney wrote: "The modern world is not seriously inconvenienced by rendering to God the things which are God's. They are not numerous, nor are they of the kind which it muses." *The Aquilitive Society*, p. 228 (1921).

## CHAPTER V

### BARBARIAN KINGS

At the end of the fifth century the whole of western Europe was ruled by barbarian kings. Their military force was entirely independent of the Roman Empire whose capital was Constantinople; and their moral authority had only the very slightest connection with the memory of an imperial ruler of the whole civilized world.

In Britain, if Gildas may be taken as an authority, local rulers in different parts of the island were as much engaged in mutual conflict as in resisting alien invasion.<sup>1</sup> If the story of Germanus and Lupus at the "Alleluia Victory" is true, the Church seems to have attempted, not merely to fight the British heresy of Pelagius, but also to unite the British kings against the invaders. These kings, of whom King Arthur is the legendary representative, were, however, swept aside before the end of the sixth century by Saxon and other marauding bands.

In northern France and Belgium the kings of the Franks had control; but in the early fifth century they were still non-Christian and, among the barbarians, the least influenced by Roman civilization. In middle and eastern France as far west as Lyons, Burgundian kings ruled. In southern France and Spain the Visigothic kings were supreme. In the Roman province of Africa, Vandal kings controlled the riches of the province and threatened the trade of the western Mediterranean. And finally, in Italy itself, in Dalmatia and northwards as far as the Danube, an Ostrogothic king was supreme.

<sup>1</sup> Gildas probably wrote about A.D. 550. His *Lament for Britain* is an attack upon five "kings or tyrants," whom he names, for destroying their country.

## THE KING

All the supreme rulers of the barbarian military groups in control of the half-conquered Roman provinces were called kings. The Latin word "rex," therefore, after the fifth century became the title of a supreme ruler in western Europe, and so remained until modern times. But the history of the word "rex" indicates that changes were occurring in the practice and theory of government, from the fifth to the ninth century. It is well known that the Romans had a traditional objection to the word "rex" because of the ancient legends of tyranny in the days before the Roman Republic was established. But the Latin word "rex" is closely allied to the Gothic "reiks," meaning a leader in war, which forms a part of such Gothic names as Alaric, Euric, Gaiseric, and Theodoric. The Gothic word means also "prince," as in the Gothic translation of the New Testament in such phrases as "the Prince of this world cometh"; and it has perhaps also some reference to hereditary right. In any case the word "rex" was evidently felt by the Romans to express the position of a barbarian ruler or leader; and it remained, in the Latin tongue at least, the title of a local or national chief as contrasted with the Emperor or Augustus. Even in the middle of the sixth century Procopius uses the word "rex," spelt in Greek letters; and explains that the barbarians used the term to describe their leader.<sup>1</sup> He clearly did not suppose that the word was Latin.

But the position of a king or "rex" was also affected in the fifth century by the fact that the Emperor himself was called "Basileus," of which the natural and obvious translation in Latin is the word "rex." The Greek word, however, had associations with Oriental magnificence, as in the phrase, "the great King," traditionally used to describe the Persian monarch; and it was also the title of the Hellenic rulers of eastern countries, who followed Alexander. The Greek word "basileus" indicates an hereditary monarch, as contrasted with a dictator whom the Greeks called a tyrant. But there was no suitable Greek word corresponding to the Latin "Imperator"

<sup>1</sup> *Hist.*, v, 1, 26. ὅτις . . . οὕτω γὰρ σφῶν τοὺς ἡγεμόνας καλεῖν οἱ βάρβαροι ἰερομύηται.

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or "Augustus."<sup>1</sup> And therefore the "rex" of a barbarian people might acquire some of the prestige of the "Basileus" at Constantinople.

The contrast between a "basileus" or legitimate ruler and a "tyrant" is drawn by Procopius, in his account of the position of Theodoric the Ostrogoth, as will be explained later; and in that contrast the historian connects the word "rex" with tyranny rather than with lawful authority.

The account also given by Procopius, who was a contemporary, of the negotiations preceding the war in Africa contains an interesting indication of the position of a barbarian king. Justinian is said to have written to Gelimer, the king of the Vandals, who replied in these terms: "Basileus Gelimer to Basileus Justinian." The same title is used for both rulers, which Procopius clearly thinks is an insult in a letter from a barbarian "rex" to a Roman Emperor. The letter continues: "It is well for one to administer the kingly office which belongs to him and not to make the concerns of others his own. Hence, for you also who have a kingdom, meddling in the affairs of others is not just."<sup>2</sup> The status claimed by any barbarian king who felt himself to be independent of the Roman Empire was that of equality with the Roman Emperor. And it is also clear that in the sixth century the ridiculous conception of a State or system of government as a separate world of its own had already begun to throw its shadows upon the theory and practice of politics.

Again, the word "rex" had religious connections.<sup>3</sup> Jupiter was called "rex." And in the Latin translations of the Old and New Testament the word used for a ruler is "rex," and the word for his dominion is "regnum." There were no words in the biblical tradition for what would be now called a republic, a democracy or a president. The conception of government is monarchical

<sup>1</sup> Plutarch uses *αὐτοκράτωρ* (*Life of Galba*) for "Imperator." The word *σεβαστός* (revered) is used for "Augustus"; but it clearly has no such associations as the Latin word.

<sup>2</sup> Procopius, *Hist.*, iii, 9, 20.

<sup>3</sup> The *rex sacrificulus* or *rex sacrorum*, a priest with primitive kingly functions, seems to have been appointed until the days of Theodosius I. The belief in the magical power of kings, discussed in Frazer's *Golden Bough*, probably survived from primitive times among the barbarians of the fifth century.



throughout the Bible; and the dominant phrase of the Gospels, "the Kingdom of Heaven," implies the position of a king as that of the supreme Authority most commonly understood by the subjects of any Government. It was therefore easier for the kings of the barbarians and their kingdoms to acquire a certain prestige from the tradition of Christianity; and in the centuries that divide the fifth from the ninth, the title "rex" was the more readily applied to Christ himself. Thus a title which, among the Romans of the second and third centuries, implied something barbaric or uncivilized in a ruler, became in the years which followed the Oriental monarchy of Constantine a word implying not only actual power but also moral or divine authority.

### *Barbarian Kingship*

The foundations of barbarian kingship in western Europe are, no doubt, to be found in the position granted by the Roman Emperors to barbarian leaders as "allies" (*federati*). They might thus be regarded as agents of the civilization which they were supposed to maintain and defend; and their moral authority was enhanced by titles granted to them when they came into closer contact with the Empire. Thus Alaric, throughout his negotiations with the imperial Court at Ravenna, was much concerned to acquire for himself a Roman title which would give him, not only a definite status within the Roman system, but also prestige among his own followers who still held in awe the moral authority of Rome. Indeed, kingship in medieval and even modern Europe rests ultimately upon the prestige granted to barbarian leaders by the Roman Empire as well as upon the tribal loyalty of primitive peoples who chose their own kings.

Secondly, the barbarian kings and their armies were the only actual centres of armed force after the contests of Roman generals had destroyed the power and prestige of the imperial Authority, for which they contended. So long as the barbarian armed forces permitted themselves to be used by this or that ambitious Roman commander in his own interest against his superiors or his rivals, so long the barbarians merely added to the general confusion

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within the dissolving Empire. But when barbarian leaders used their forces for their own advantage, each successful leader could dominate a section of the old imperial territory without weakening his hold by attempting to subdue too vast a territory. For some time in the fifth century, the area and population which a barbarian king and his followers could hold in subjection was unknown. Adventures were undertaken and experiments made. Western Europe was passing from subjection under a single military dictatorship, resting upon slavery and the slave-trade, to government resting upon what would now be called a "national" basis defined by strategic or "natural" frontiers. But about four centuries passed before the main lines of modern European nation-states were clearly visible. In the fifth century the means of communication, the movements of armed forces, and therefore the area of control from any one centre had to be tested. Centralization on the Roman model had failed. But how "local" the new systems of government could afford to be, had to be discovered by trial and error. The barbarian kings and their followers were clearly quite unconscious of the process by which they were establishing a new governmental system in western Europe. And indeed, all the kingdoms founded among the ruins of the Roman Empire in the fifth century—except that of the Franks—were destroyed before the end of the sixth century. The barbarians had entered the Roman Empire first as settlers upon waste lands, and secondly as nomadic looters of portable wealth and slaves. But in the fifth century the barbarian armed forces found it more lucrative to settle in the wealthiest cities of the Empire, from which, under their kings, they could extract more booty than they could by continual raids.

As soon, however, as the kings had established themselves, not merely as conquerors, but as rulers, they and their followers were compelled to use the experience already acquired by the civilization they assisted to destroy. Thus, under the barbarian kings Roman methods of agriculture, building, manufacture and commerce were continued. The barbarians had nothing of their own to offer in these matters. For this reason also, Roman law and justice continued to operate in the barbarian kingdoms. And further, because the

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barbarian kings and their chiefs could neither read nor write, and because few of them had any ambitions more lofty than a good fight and a large feast afterwards, it was necessary for the barbarian kings to use as counsellors and ambassadors such educated and able representatives of the old tradition as were willing to serve them. Thus Euric, the Visigothic king, had, as his chief minister, Leo, a Latin writer of distinction, trained in administration under the old regime. Similarly Theodoric the Ostrogoth used Cassiodorus as his chief minister. The survival of such educated laymen, connected with the service of the Empire and now advising barbarian kings, distinguishes the kingdoms of the fifth century from those which followed. In the sixth and later centuries, until the Renaissance, the only educated officials were clerics; and in those later ages, bishops acting either alone or in councils, were the advisers and ministers of kings. Thus they inherited from the civilian officials of the Roman Empire the civil functions which Diocletian had divided from those of the military. And the link between the civil service of the Empire and the clerical officials of the Middle Ages is to be found, under the first barbarian kings of the West, in such laymen as Leo and Cassiodorus.

### *Arianism*

Finally, all the barbarian kings who established themselves within the old boundaries of the Empire in the fifth century were Christians of the Arian tradition. The conversion of the tribes who were later to overrun the western provinces of the Empire, had been due to bishops and priests who believed that in some sense Christ was not the equal of God the Father. The barbarians and their kings were not indeed likely to consider theological problems; but all the barbarian kingdoms had Arian bishops and priests attached to them, and these would naturally feel that the clergy of the old Roman world which they entered in Gaul, Spain, Africa and Italy, were their rivals.

This is not the place to discuss the theological doctrine of the Trinity or the difference between Arians and Catholics in their theories of deity. But in the study of social institutions it is im-

portant to notice the character of the religious differences which divide men into mutually hostile groups. In the case of Arianism in western Europe the difference between barbarian warriors and the Roman population subject to them was not a difference in abstract theorizing. The barbarians could neither read nor write, and even their bishops and priests do not appear to have been familiar with either Latin or Greek; and, on the other hand, the Latin Churches of the West were concerned with practice—that is to say, ritual and moral standards rather than with the subtleties of the Greeks.

But certain differences in practice, apart from the use of the Latin language and Roman fashions of dress, divided the Arian invaders from the Catholics. First, the worship of Christ as God was the accepted tradition of the Hellenic and Roman Christianity which could be distinguished from the Semitic or Oriental tradition for which God remained the sky-God of the Hebrews, aloof and unaffected by human suffering. The barbarians who had been converted to Arianism under this latter influence, were primitive warriors for whom the same kind of deity may have been acceptable, as was later to be accepted by the followers of Mohammed.

A certain theory in the history of the plastic arts connects the art of the Germanic tribes with Oriental forms. And whether this is true or not, the barbarian warriors of the North, in the fifth, and even in the ninth century seem to have been attracted by a sky-God rather than a God-Man. Again, the barbarians were victors and the invaded Roman people were victims. But Christ was a victim whose sufferings were shared by his people. Sympathy with the pain of Christ upon his Cross was a reflection of the feelings of a suffering people, as in the words of the hymn to the Cross: "Bend your boughs, tall tree: set the racked body free":<sup>1</sup> or, as a modern poet has written:—

O sacred head, O desecrate,  
O labour-wounded feet and hands,  
O blood poured forth in pledge to fate  
Of nameless lives in divers lands.

<sup>1</sup> From the *Pange lingua* of Venantius Fortunatus.

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O sinners and speckled and sacrificed  
People, the grey-grown speechless Christ!<sup>1</sup>

When the Arian kings required armed forces for raids or for defence, they had to rely partly upon local levies raised among the subject non-Arian population, which would hardly be an enthusiastic army, especially if their opponents were Catholic, as in the case of the armies of Justinian. Thus, the Arian kingdoms suffered from an internal division which prevented any of them becoming national in the modern sense of the word, not because of doctrinal differences, but because the rank and file of their subjects did not attend the same churches as their leaders, and were not served by the same clergy in public assistance or protection against injustice.

Finally, the Churches of the West already had their martyrologies and legends of saints who had suffered persecution. The barbarian warriors, their priests and bishops, had no such tradition behind them. They represented the victory of armed force. It is hardly strange, therefore, that fundamental differences of moral and religious attitude created difficulties when barbarian kings attempted to rule the more highly civilized populations of the West over whom the Catholic bishops already exercised a dominant influence. The contrast between armed force and moral authority was perhaps confused with the contrast between two forms of religious practice and belief.

Again, as the last chapter has shown, the Churches of the West used Latin; and the bishops who derived their right to the exercise of certain functions from the Emperors, naturally looked to the Roman Empire as the embodiment of public authority. The Churches sometimes acted as an "opposition" even within the imperial distastefulship; but they were even more inclined to be critical of the claims of barbarian kings who happened also to be Arian heretics. Thus, from the very beginning of the new systems of government in western Europe, the bishops stood in a peculiar relation to the kings. The kings were newcomers. They were ignorant and often violent. But the bishops, in the cities which the new kings took as capitals, belonged to an already established

<sup>1</sup> Swinburne, *Before a Crucifix*.

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tradition of culture and the life in common. The State therefore, in its new form, was quite obviously subordinate to the Church, both as a centre of civilization and as an embodiment of moral authority.

The changed character of political and moral authority in this new situation may be best indicated by a short review of the new barbarian kingdoms in the West. All of them, except that of the Franks, were destined to disappear after about a century; but the experience gained from the relation of kings and bishops within them was carried on in the kingdoms of the seventh and eighth centuries which laid the foundations of the medieval system.

### *The Kingdom of the Visigoths*

The first of the new kingdoms was that of the Visigoths, whose king established his capital at Toulouse, and at one time ruled most of Spain and southern France, west of the Rhone. These western Goths, after the marauding raids of Alaric and Adolf, had been permitted by the Roman Emperor to settle in south-western Gaul in A.D. 414. They had for many years been deeply influenced by Roman civilization; but although Christian, they followed the religion of the missionaries who had first converted them, and were therefore, from the point of view of the western Churches, Arian heretics. They had a translation of the Bible into Gothic, of which a few fragments have survived; but the majority of their kings and their warriors could neither read nor write; and they had bishops and priests of their own who adhered to the doctrines of the Arians.

The establishment of a settled Gothic domination in south-western Gaul committed the conquerors still more deeply to dependence upon the Roman system of law and administration. The kings, as well as the Gothic warriors, were without experience of the economic, political and administrative problems created by a more highly developed civilization. Inevitably, therefore, the Goths depended upon the old traditions and upon the experience of the Roman judges, administrators and other officials, over whom, theoretically, they held control. The Goths were a small minority

in the Roman population.—perhaps only five in every hundred in the Visigothic kingdom, and their desires in general did not go beyond fighting and feasting. The king was in practice the only official bond between the dominant military group and their conquered subjects. But intermarriage occurred; and within a century or two the language of the Goths was lost and the old Roman language, the mother-tongue of the majority, remained the language of the country. In the period of uncertainty when the Roman system seemed likely to be replaced either by complete chaos, or by some entirely new social structure, the bishops of the chief Churches were engaged in making their peace with the Gothic rulers. The bishops were not rival political authorities whom the Gothic kings would have been compelled to displace; but they were the only effectual representatives of the Christian communities, which now included most of the inhabitants of the cities. And all the bishops belonged to the old Roman tradition. They were "Catholic" and not Arian. The language of their religion was that of common life and trade in the Roman cities; and most of them had been selected as capable administrators of the increasing properties of the Churches and of the funds used for charitable purposes. Some bishops found it easier than others to be friendly with the new kings; but all, no doubt, were consciously or unconsciously critical of warriors whose ideas were simple and whose manners were, in general, coarse or even brutal.

The two attitudes towards Gothic kings in Gaul are very well expressed in the letters of Sidonius Apollinaris. He was a bishop of Clermont in Auvergne, who, in earlier life, had played a part in the politics of the crumbling Empire, and had even reached the goal of his ambitions as prefect of the city of Rome during a short residence there. He was a rich landowner who had married into an equally rich family; and his experience of public life, rather than any attachment to the Church, had led to his selection as bishop. He came into contact with two Gothic kings: one, Theodoric II, to whom he adopted a friendly attitude, and the other, Euric, to whom he found himself, as a bishop and a representative of the Roman tradition, violently opposed.

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Sidonius Apollinaris gives a full account of the personal appearance and the daily occupations of Theodoric II. The letter in which this account is given was written about A.D. 454. The routine of his public life is described as follows<sup>1</sup>:—

Before daybreak he goes with a very small suite to attend the service of his priests. He prays with assiduity, but, if I may speak in confidence, one may suspect more of habit than of conviction in his piety. Administrative duties of the kingdom take up the rest of the morning. Armed nobles stand about the royal seat; the mass of guards in their garb of skins are admitted that they may be within call, but kept at the threshold for quiet's sake; only a murmur of them comes in from their post at the doors, between the curtain and the outer barrier. And now the foreign envoys are introduced. The king hears them out, and says little; if a thing needs more discussion he puts it off, and accelerates matters ripe for dispatch. The second hour arrives; he rises from the throne to inspect his treasure-chamber or stable. If the chase is the order of the day, he joins it. . . . On ordinary days his table resembles that of a private person. The board does not groan beneath the mass of dull and unpolished silver set on by panting servitors; the weight lies rather in the conversation than in the plate; there is either sensible talk or none. . . . The siesta after dinner is always slight, and sometimes intermitted. When inclined for a board-game, he is quick to gather up the dice, examines them with care, shakes the box with expert hand, throws rapidly, humorously apostrophizes them, and patiently waits the issue. . . . About the ninth hour, the burden of government begins again. Back come the importunate, back the ushers to remove them; on all sides buzz the voices of petitioners, a sound which lasts till evening, and does not diminish till interrupted by the royal request; even then they only disperse to attend their various patrons among the courtiers and are astir till bedtime. Sometimes, though this is rare, supper is enlivened by sallies of mimes, but no guest is ever exposed to the wound of a biting tongue. Withal there is no noise of hydraulic organ, or choir with its conductor intoning a set piece; you will hear no players of lyre or flute, no master of the music, no girls with cithera or tabor; the king cares for no strains but those which no less charm the mind with virtue than the ear with melody. When he rises to withdraw, the treasury watch begins its vigil; armed sentries stand on guard during the first hours of slumber.

This tells us nothing about the system of government; but it

<sup>1</sup> Trans. in *Letters of Sidonius*, by O. M. Dalton (1915), vol. i, p. 2.



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implies that the Gothic king had become part of the established order in the administration of justice, and that his Court was regarded as, in some ways, a centre of social life. For the purpose here in view it is most interesting to observe that this local and half-civilized ruler absorbed most of the attention of his subjects, and that the figure of the Roman Emperor in eternal Rome had faded away beyond the horizon.

The other Gothic king of whom an account is given in the letters of Sidonius was Euric, who reigned from A.D. 466 to A.D. 485. His attempt to extend his kingdom in Gaul was evidently obstructed by the influence of the Catholic bishops who were opposed to an Arian king. As Sidonius writes:<sup>1</sup>

I must confess that, formidable as the mighty Goth may be, I dread him less as the assailant of our walls than as the subverter of our Christian laws. They say that the mere mention of the name of Catholic so embitters his countenance and heart that one might take him for the chief priest of the Arian sect rather than for the monarch of his nation. Omnipotent in arms, keen-witted, and in full vigour of life, he yet makes this single mistake—he attributes his success in his designs and enterprises to the orthodoxy of his belief, whereas the real cause lies in more earthly fortune. For these reasons I would have you consider the secret malady of the Catholic Church, that you may hasten to apply an open remedy. Bordeaux, Perigueux, Rodez, Limoges, Jacob, Gaze, Bazas, Comminges, Auch, and many another city are all like bodies which have lost their heads through the deaths of their respective bishops. No successors have been appointed to fill their places and maintain the ministry in the lower orders of the Church; the boundaries of spiritual desolation are extended far and wide. Every day the ruin spreads by the deaths of more fathers in God; so pitiful is her state that the very heresiarchs of former times, to say nothing of contemporary heretics, might well have looked with pity on peoples orphaned of their pontiffs and oppressed by desperation at this catastrophe of their faith. Diocese and parish lie waste without ministers. You may see the rotten roofs of churches fallen in, the doors unlinged and blocked by growing brambles. More grievous still, you may see the cattle not only lying in the half-ruined porticoes, but grazing beside altars green with weeds. And this desolation is not found in country parishes alone; even the congregations

<sup>1</sup> Sid. Apoll., Ep., vii, 6 (A.D. 472-473), to Bishop Bautilus on Euric's persecution. Dalton's translation, ii, p. 107.

## BARBARIAN KINGS

of urban churches begin to fall away. What comfort remains to the faithful, when not only the teaching of the clergy perishes, but their very memory is lost out of mind? When a priest departs this life, not merely the holder of the sacred office dies, but the office itself dies with him, unless with his failing breath he gives his blessing to a successor. What hope remains when the term of a man's life implies the end of religion in his parish? If you examine more closely the ills of the body spiritual, you will soon perceive that for every bishop snatched from our midst, the faith of a population is imperilled. I need not mention your colleagues Crocus and Simplicius, removed alike from their thrones and suffering a common exile, if different punishments. For one of them laments that he cannot see whither he is to return; the other that he sees only too clearly where he is to return no more. You for your part have about you the most holy bishops Faustus, Leontius, and Graecus, environed by the city, your order and their paternal love. To you these miserable treaties are submitted, the pacts and agreements of two kingdoms pass through your hands. Do your best, as far as the royal condescension suffers you, to obtain for our bishops the right of ordination in those parts of Gaul now included within the Gothic boundaries, that if we cannot keep them by treaty for the Roman State, we may at least hold them by religion for the Roman Church.

The capital of the Gothic kingdom, Toulouse, was thus for many years regarded as a centre of heresy. And when the king of the Franks had adopted the Roman form of Christianity, the influence of the Catholic bishops under the Gothic king tended to undermine his power in favour of that of the Franks.

Euric had begun a collection of laws for the western Goths; and under his successor, Alaric II, the famous *Breviarium* was issued, which was a summary of Roman Law, drawn largely from the Theodosian law-books, for use in cases affecting the Roman majority under his rule. Alaric himself was killed in battle with the Franks near Poitiers in A.D. 507; and the west Gothic kingdom after this was confined almost entirely to what is now called Spain. Alaric was a son-in-law of Theodoric the Ostrogoth, then reigning in Italy, and probably Theodoric's influence or military power prevented the entire destruction of the kingdom of the western Goths by the Franks. But the first experimental stage in the rule of an Arian and barbaric king in the most western parts of the Empire,

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was transformed in the later sixth century into a Catholic kingdom, by the conversion of King Recared (A.D. 586-601).

### THE VISIGOTHS

Another barbarian kingdom was that of the Vandals in Africa; but here the position of the king and his warriors and their relation to the old Roman civilization were somewhat different. The Vandals came, like other barbarians, as a marauding band with their camp-followers, seeking wealth and the sort of happiness they desired within the Roman Empire, first invading Gaul by crossing the Rhine at Mainz in A.D. 406; then, after a defeat by the Franks, crossing the Pyrenees in A.D. 409, and finally in A.D. 429 crossing into Africa. It is said that their leader in this last raid, Gaiseric or Genseric, counted eighty thousand males, including infants in arms, for his expedition into Africa. The ships were provided by Bonifacius, the Roman Governor of Africa, who invited the Vandals to assist him against the imperial Authority at Ravenna, and found in the end that he could not get rid of them.<sup>1</sup> By the end of the year A.D. 439 the Vandals had taken Carthage and established a kingdom in the Roman province of Africa which lasted for ninety-four years. From this position the Vandals controlled the islands and the trade routes of the western Mediterranean. Their fleets also undertook piratical expeditions, the most famous of which led to the sack of Rome itself in A.D. 455.

The Vandals seem to have been much less affected by the civilized people over whom they ruled, than were the Goths. Their kings acquired a reputation for violence and savagery, mainly because of their continued persecution of the Catholic bishops and priests of the province of Africa. Africa had already had experience of religious disunion in the quarrels between the Donatists and the Catholics; and now Arian bishops and priests, who appear to have used the Gothic language, displaced the Latin-speaking clergy. Thousands of bishops and priests of the Catholic Church in Africa were tortured or exiled, but perhaps rather for the purpose of extorting precious vessels and other wealth, than for any reason

<sup>1</sup> See above, Chapter III, p. 133.

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that can be called religious. In A.D. 487 a description of the Vandal persecution was written by Victor Vitensis.<sup>1</sup> He says that preachers in the churches were spied upon lest any reference to tyranny in the Old Testament might be taken to apply to the Vandal kings;<sup>2</sup> and that after the sack of Rome a great number of slaves was brought back to Africa and divided between the Moors and the Vandals, husband being separated from wife and child from parent. In that situation the Catholic bishop, Deo Gratias, sold the church vessels in order to redeem captives and reunite families.<sup>3</sup> He is said to have accompanied doctors in their visits, and brought food supplies to the victims, whose health was broken by the voyage in slave-ships. Gaiseric died in A.D. 477; and his successor, Hunneric, at the request of the Emperor Zeno, permitted a Catholic bishop of Carthage to be elected. A great number of the Sees and Churches of Africa were without bishops and priests, and it was hoped that the persecution would cease; but according to Victor, the Arian bishops, fearing for their own position, influenced the king to undertake a new persecution.<sup>4</sup> Hunneric died in A.D. 484; and after an interval, during which older relatives were kings, Hilderic, the son of Hunneric and Eudocia, the Catholic daughter of Eudoxia, widow of the Emperor Valentinian, was acknowledged as king of the Vandals. Hilderic was a Catholic, but already aged and unacceptable to the Vandal warriors. He was, therefore, dethroned by his cousin Gelimer in A.D. 531; and this gave an opening for the Emperor Justinian to send expeditions from Constantinople against the Vandals, which eventually destroyed their power. The barbarian warriors, already deeply affected by the more luxurious habits of the rich Romans, whose wealth and property they had taken, gradually died out; their families were absorbed into the local populations and the province of Africa for a time passed under the authority of the Roman Emperor again. Neither in law nor in administration did the Vandals add anything to the traditions of

<sup>1</sup> Victor Vitensis, *De persec. Vandalica*. Pat. Lat., vol. 58. M.G.H., Auct. Aut. iii, part 1.

<sup>2</sup> *De persec. Vand.*, i, 7. References to Pharaoh or Holofernes were resented as reflecting "in personam regis."

<sup>3</sup> *Ibid.*, i, 8. The names of the Latin bishops are significant: Deo Gratias, Habet-deus, Quid-vult-deus, etc.

<sup>4</sup> *Ibid.*, ii, 1.

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the West: but the fortunes of their kingdom at least served to prove that it was quite impossible to establish any authority in the western provinces of the Roman Empire in defiance of the Catholic Church.

### *Kings of the Burgundians*

Another barbarian kingdom which covered a territory within the old Roman Empire was that of the Burgundians. By imperial Authority they were given territory in Savoy, after their defeat by the Huns in A.D. 435. Thus they entered within the Roman frontiers, to be soldiers and cultivators of land, as the result of the deliberate policy of the Roman Authorities. Amid the confusion in Gaul during the first half of the fifth century the kings of the Burgundians extended the territory over which they ruled and therefore increased the number of more civilized Latin-speaking communities under their domination. At the end of the fifth century the king of Burgundy ruled from his capital at Lyons the territory from the sources of the Rhone westward to the Loire and southward to Vienne. But the Burgundians were Arians; and the Catholic bishops, especially Avitus, bishop of Vienne, therefore made every effort to persuade the Burgundian king to forsake his Arian bishops and clergy. The strength of the Roman influence within his kingdom is indicated by the favourable position given in the Laws of Gundobad to the earlier residents in his territories. These Laws allow equal rights to "Romans" and Burgundians. They will be discussed in a later chapter. Also in the Burgundian kingdom the so-called "Roman Law of the Burgundians," or *Lex Rapiana*, provided a summary of strictly Roman Law for the majority of the subjects of the Burgundian king.

The influence of the higher civilization of the Gallo-Roman population upon the barbarian warriors was evidently so strong that only one obstacle remained to prevent their complete absorption into the Latin tradition. This obstacle was the Arian clergy. But in A.D. 516 Sigismund succeeded his father Gundobad as king of the Burgundians; and Sigismund had already been converted to the Catholic Church by Avitus. In A.D. 517 the king held a Council of

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bishops and other clergy which confirmed the acceptance of Roman or Catholic Christianity in the Burgundian kingdom. Here then also it proved impossible to maintain an Arian kingdom within the territories which had been subject to Rome: and the Catholic Church succeeded in preserving the tradition of law and other forms of civilized life which the Empire had handed over to the barbarians.

### *The Early Frankish Kingdom*

The Franks held the north-eastern part of Gaul in Belgium and beyond the Rhine, and made many raids into Roman territory during the fifth century. But it was not until Clovis became king of the Franks in A.D. 481 that the extension of Frankish territory began to promise a great future for this tribe. The other barbarian kingdoms were Arian in religion; but the Franks remained pagan at the time when Clovis defeated the representative of the old Roman authority, Syagrius, in A.D. 486. This Syagrius was the son of Aegidius, a "Roman general whom the Franks had unanimously chosen as king";<sup>1</sup> but after his father's death Syagrius was forced to flee from the new Frankish king Clovis, to seek refuge with Alaric II, king of the Visigoths. The latter, in fear of Clovis, gave up the refugee to him; and Clovis had the unfortunate Syagrius quietly killed.<sup>2</sup> Such was the heroism and loyalty of the Germanic kings. In A.D. 493 king Clovis married a niece of the king of Burgundy. She was a Catholic; and Clovis was baptized into the Catholic Church at Rheims by St. Remy in A.D. 496. The immediate result was that the king of the Franks was assured of support from the Catholic clergy, not only in his own kingdom but also in those of his neighbours. He was thus able to act as a crusader against heretics, when he found it convenient to conquer new territory. The Franks extended their power in the sixth century; and the development of closer relations between their kings and the Catholic bishops of the western Churches, including that of Rome itself, gave them an advantage over those other barbarian kings who were Arians, during the centuries that followed. In this kingdom

<sup>1</sup> Greg. Tur., *H.F.*, ii, 12. *Pat. Lat.*, 71, col. 210.

<sup>2</sup> *Ibid.*, ii, 27, col. 222.

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at least there was no doubt of the usefulness to the military and political activities of the Catholic Church and its bishops. But the true development of this relationship between kings and bishops will be discussed in another chapter.

### *The Ostrogothic Kingdom in Italy*

The most interesting of the first barbarian kings was Theodoric, the Ostrogoth, who ruled Italy and Dalmatia from A.D. 493 until his death in A.D. 526. The tribes of which he was the leader or king had been for nearly fifty years in close contact with Roman civilization. After the defeat of Attila they had settled in Roman lands near the Danube; and their relations with the Emperor at Constantinople were no more hostile than their relations with neighbouring tribes of their fellow-barbarians. Theodoric himself was sent as a hostage to the Court of Constantinople and spent ten years of adolescence and early manhood under the influence of Roman civilization there. But on his return to his own people in A.D. 471, his ambitions led eventually to conflict with the Empire; and in A.D. 488 he was induced, or himself decided, to invade Italy, where the political situation was confused.

Italy had been for thirteen years under the control of a barbarian king—Odovacar, who had destroyed the last traces of the Empire in the West. But Odovacar had used the surviving machinery of government and the officials of the Roman tradition. And thus, although a barbarian kingdom of Italy, extending eastwards as far as Belgrade and northwards as far as Vienna, had come into existence, the system of government remained much the same under a barbarian ruler and his armed forces as it had been under a Roman Emperor. It must be remembered also that the reigning Emperor at Constantinople was himself a barbarian of the Isaurian tribe, who had found it convenient to change his name from Tarasicodissa to Zeno; and for nearly twenty years men of his tribe controlled the Empire. It is not easy, therefore, to make a clear distinction in culture or status between an Emperor who was Roman in name only and a barbarian king of Italy who ruled through Roman officials. But the Emperor Zeno seems to have been willing enough

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to see Theodoric and his Ostrogoths marching upon Italy and thus removing from Constantinople the danger which their desire for loot might cause. In March A.D. 493, after victory in the field and treachery among the defeated, Theodoric established himself as king in Ravenna, having himself slain Odovacar treacherously at a banquet in the best barbarian manner. Theodoric and his Ostrogoths then controlled Italy until A.D. 526.

The succession of events has often been described. It is more important here to notice the character of the new kingdom in Italy. Theoretically the Ostrogoths held Italy by permission of the Emperor at Constantinople; but in practice their king was supreme within his dominions and ruled independently of the Emperor. As in all the barbarian kingdoms an indefinite attitude of respect for the Roman Empire survived among the new rulers. But Odovacar had broken the spell of moral authority in the name of Emperor by dethroning Romulus Augustulus; and Theodoric felt no need to seek authority for his administrative acts or his policy from any Emperor. In his negotiations with the barbarian kings of western Europe—Burgundians, Visigoths and Vandals—he took no account of the policy of the Emperor, whom he treated as a dangerous rival rather than a superior authority. According to Procopius the Berbers of Africa would not accept as a ruler anyone who lacked the insignia of imperial Rome. He describes such insignia as a silver staff with golden top, a silver cap, a white cloak and tunic and golden boots.<sup>1</sup> One may imagine, therefore, that the inhabitants of Italy would feel even more strongly than Africans the need for the external signs of authority. But of Theodoric himself Procopius says that “neither in name nor in dress did he think it right to be treated as basileus of the Romans; but he was called ‘rex’ all his life.” “So far as the name went, Theodoric was a tyrant; but in fact he was a true basileus.”<sup>2</sup>

Under Theodoric the Roman system of administration was continued, and officials of the Roman tradition held high office. The most important of these was Cassiodorus, whose father had already held office under Odovacar. The official letters, written by Cassi-

<sup>1</sup> Procopius, *Bell. Vand.*, iii, 25.

<sup>2</sup> *Ibid.*, *Bell. Goth.*, v, 1, 26-29.



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dor in the name of Theodoric, who himself could neither read nor write, due to the extent to which the barbarian king was dependent upon the surviving Roman system of government.<sup>1</sup> Cassiodorus himself was Roman in the sense given to that word during his lifetime; that is to say, he was an educated member of a community which maintained an ancient traditional civilization. His family came from Syria and had settled in southern Italy where they held extensive property. But Rome was the source of his moral and intellectual standards, as it had been for Theodosius, the Emperor, and others who came from Spain; as it had been for the poets of the early fifth century, Claudian and Prudentius. The official career of Cassiodorus, however, depended entirely upon the barbarian kings of Italy; and as their adviser and secretary he has, no doubt, attributed to them sentiments and administrative decisions which were his own. Theodoric, the greatest of the kings whom he served, has excited the admiration of German scholars of the nineteenth century; but there is no evidence that he understood the policy which is expressed in the official letters, written for him by Cassiodorus. That Cassiodorus did not enjoy the duty he felt bound to perform in attempting to preserve the Roman tradition under a barbarian tyrant, is shown in his preface to his treatise on the Psalms. "At Ravenna," he writes, "I sometimes put aside official duties and forgot the evil smell of worldly cares in order to taste the soul's honey of the heavenly psalter. As happens to those who desire it, in my eagerness I lost myself in reading that I might drink in with delight the saving words after the bitterness of my daily work" (*post amarissimas actiones*).<sup>2</sup>

In the preface to the collection which he made of his official correspondence he indicated his hope that the work they represent will be useful for preserving the tradition he admired. In the first place these letters embody the decision of Theodoric to maintain the Roman administration. Letters addressed to the Senate from

<sup>1</sup> Theodoric used a stencil with the Latin word "legi" ("I have read") for signing documents. And exactly the same kind of stencil with the same letters is reported by Procopius to have been used by the contemporary Roman Emperor Justin who was an uneducated soldier, born in the district which is now Bulgaria.

<sup>2</sup> Cassiodorus, In *Psalterium*, *Praef.*, *Pat. Lat.*, 70, col. 1.

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the king express respect for senatorial authority and ask the Senate to accept or ratify some appointments made by the king. Again, the sixth book of the collection consists of "forms" (*formulae*) for the appointment to the traditional positions in the Roman system of government, such as the Consulate, the Prefecture of the City, the Quaestorships and the rulership of provinces. The "forms" composed by Cassiodorus are themselves proofs that the system he was attempting to preserve was already obsolete. The Rome he admired was dead; but he worshipped the dead body. It is all the more interesting to note that a hundred years later another book of "forms," by the monk Marculf, was produced in northern France to express a new system—the medieval.

The situation in the time of Cassiodorus is indicated by the way in which his "forms" address the persons who are appointed under them to different offices. For example, the form sent to a man appointed consul recounts the ancient custom of naming the year by its consuls, describes the dress (*palmas vestes*) and notes the right to carry the fasces with the axe. All this is adduced to show what a great dignity a consul has. The comic element in archaism comes out in the sentence—"You have the apparatus of victory without the experience of war. . . . Your happy success as leaders is clear from your high honours, and yet you have not the annoyance of having to govern anybody."<sup>1</sup> The chronicle of Cassiodorus himself consists almost entirely of a mere list of the consuls, for the dating of the years by reference to the birth of Christ did not begin until the eighth century. In the time of Cassiodorus the consuls were still appointed, usually one in Constantinople and one in Rome. But they had no functions to perform. Even in the Theodosian law-books men of consular dignity are referred to only in a note on precedence.<sup>2</sup> But the forms of Cassiodorus are merely rhetorical descriptions of the ancient costumes and ceremonies associated with the different official posts. "Antiquity" is the final authority. The attitude is that of some half-educated inhabitant of a modern colony who thinks that being a Governor means wearing

<sup>1</sup> Cassiodorus, *Variae*, vi, 1.

<sup>2</sup> *Cod. Theod.*, vi, 19, 1. Rescript of September 29, A.D. 400.

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a cocked hat. The symbols of power and authority in the fifth century survived what they had symbolized, and thus acquired a sort of magical efficacy. Institutions die from within, leaving the shell of ceremony erect, until it is discovered to be meaningless.

The official letters of Theodoric include orders for the repair and preservation of buildings, and the care for the aqueducts and drains of Rome. A letter to the prefect of the city orders him to assist a certain John to repair the drains of Rome "which so astound all who see them that they are greater than the wonders of other cities."<sup>1</sup> Other letters direct the sending of statues and pillars of marble from Rome to Ravenna, and the support of a water-expert for the finding of a new supply for Rome. This man had come to Rome from Africa, where water was difficult to find.<sup>2</sup> Again, Theodoric writes to the Praetorian Prefect to provide support for a certain Thomas, a famous charioteer, which gives Cassiodorus an opportunity to expatiate upon the excitement of the races in Rome;<sup>3</sup> and in another letter he admonishes the Senate to stop the rioting at the races. This gives him an opportunity to indulge in a little bad etymology concerning the derivation of the Latin words for riot and war.<sup>4</sup>

In matters of high policy the two chief difficulties seem to have been the friction between Goths and the "Romans" in Italy, and the attempts of Theodoric to prevent war between the neighbouring barbarian kings of Gaul, first by marrying them to his daughters; and next by a series of letters, dissuading the king of the Franks, Clovis, from war with Alaric, and to other kings urging them to assist in the prevention of war. Theodoric is made to say, in a letter to the king of the Burgundians, "It is our task to urge moderation upon kings who are youthful"; and to the king of the Franks, "We are astonished that you are so perturbed by quite unimportant issues that you want to undertake a disastrous war against our son king Alaric. . . . You are both kings of important peoples, both in the flower of youth. . . . Let not your valour be an unforeseen calamity to your country; because the ruin of their people for trivial ends does great injury to kings."<sup>5</sup> Whether these are the

<sup>1</sup> *Var.*, iii, 30.    <sup>2</sup> *Ibid.*, iii, 53.    <sup>3</sup> *Ibid.*, iii, 51.    <sup>4</sup> *Ibid.*, i, 30.    <sup>5</sup> *Ibid.*, iii, 4.

sentiments of Theodoric or Cassiodorus, they indicate the beginning of the interminable wars for loot or prestige between the barbarian warriors who had displaced the Roman governors of the West.

The general effect of the rule of Theodoric in Italy, therefore, may be regarded as the introduction of a new form of political organization in the West. In the first place, the kings of western Europe and Africa formed a group of "sovereign governments," independent of the Roman Empire. The relationships between these kings formed, as it were, the roots of the medieval system. Secondly, Theodoric restored in his dominions the peace and prosperity which had been almost forgotten. He rebuilt aqueducts and baths and city walls and kept the peace so effectually that, as an anonymous chronicler says, "the merchants from various provinces came flocking to him, for so great was the order he maintained that, if anyone wished to leave gold or silver on his land, it was deemed as safe as if within a walled city. An indication of this was that throughout all Italy he never made gates for any cities and the gates that were in the cities were not closed. Anyone who had any business to transact did it at any hour of the night as securely as in the day."<sup>1</sup>

Theodoric was the subject of a panegyric by Ennodius, bishop of Pavia, the author of a Life of St. Epiphanius, his predecessor.<sup>2</sup> Ennodius addresses Theodoric as "greatest of kings" and "foundation of the State." The phrase "*salve status reipublicae*" addressed to Theodoric, is an interesting identification of the king with what was later called "the State," which makes good sense of the exclamation attributed to Louis XIV—"L'état c'est moi." Evidently the barbarian kingdoms of the fifth century were the sources from which the sovereignty of European States was derived. The turgid eloquence of Ennodius traces the life of Theodoric, whom "Greece brought up in the bosom of civilization," to his restoration of Roman rule. "It is a greater thing," he writes, "to prevent its downfall than to have established its foundations."

<sup>1</sup> *Anon. Vales.*, trans. in Hodgkin, *Italy*, vol. iii, p. 297.

<sup>2</sup> Ennodius, born at Arles in A.D. 473; died in A.D. 521. Educated at Milan. Married a rich and noble wife; later he gave up the marriage and became a deacon.

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From other aspects of Theodoric's policy indicates the beginning of the Merovingian-Romanic State-System. He practised the policy of family compacting. He himself had had a wife of inferior rank, a Goth, before he became king in Italy, and married the half-Gothic daughter of Chluderic, king of the Salian Franks, the sister of Chluderic, from whom he had a daughter, Amalasuntha. The two daughters of his earlier wife were married for purposes of policy, one to Sigismund, king of the Burgundians, and the other to Alaric II, king of the Visigoths. Theodoric's sister, Amalafreda, was married to Thrasamund, king of the Vandals;<sup>1</sup> and by another husband she had a daughter, Amalaberga, who was married to Hermanfrid, king of the Thuringians. The names are of no importance; but the policy implied in all these dynastic marriages evidently aimed at a form of peace between the new States which now covered the area of what had been the western parts of the Roman Empire from Belgium to northern Africa. As Hodgkin says, "this family compact binding together all the kingdoms of the West in a great confederacy, filling all the new barbarian thrones with the sons, the grandsons or nephews of Theodoric, was a matrimonial state-system surpassing anything that Hapsburg or Bourbon ever succeeded in accomplishing. . . . When it came to the tug-of-war between one barbarian chief and another, this family compact, like so many others in later days, snapped with the strain. Yet it was not at once a failure; for one generation at least the position of Theodoric as a kind of patriarch of the kingly clan . . . did undoubtedly promote the happiness of Europe."<sup>2</sup> The truth of the last sentence, however, is open to dispute. The hope that family relationships would prevent barbarians from fighting was certainly not based upon past experience. The slaughter of brothers by brothers was not unknown among the Goths and the Franks; but it is much more likely that the policy of dynastic marriages gave some kind of solidarity to the diverse barbarian groups, which were in a minority among the older populations of the fallen

<sup>1</sup> The letter from Theodoric, in the collection of Cassiodorus, which announces this marriage, makes the point that the sister of the Gothic king was of the Amal family and therefore of better blood than the king's own daughters! Also the lady was "litteris docta" (*Variae*, v, 43).

<sup>2</sup> Hodgkin, *Italy*, iii, p. 355.

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Empire among whom they lived. The dynastic marriages of Theodoric's policy, therefore, if they did in any way promote peace, did so only by strengthening the hold of ignorant and incompetent rulers over their subjects. The happiness of the majority in Europe and Africa was perhaps reduced rather than increased by barbarian rule; and whatever strengthened that rule may actually have increased the difficulty of establishing a new form of civilization.

Again, the kingdom of Theodoric, like the other barbarian kingdoms in the West, was in essence the control of an armed band of barbarians over a subject Roman population. The two traditions were not assimilated either in administration or in law: although, no doubt, social intercourse and even intermarriage occurred. The language and customs of the Roman majority and its long-established traditions tended gradually to absorb the Gothic conquerors, as the conquered English gradually absorbed the Normans, in the eleventh and twelfth centuries. But the Gothic kingdom in Italy did not last long enough to unite barbarian with Roman traditions. In practice the Goths had their own customs and social status; and some of his warriors were deliberately stationed by Theodoric as representatives or even as spies on Roman estates, in order to preserve the king's control over his wealthier subjects. On the other hand, the Roman population continued to be governed by Roman law. The *Edictum Theodorici*, which will be discussed later, is nothing more than a summary statement of Roman law current at the time in Italy; and because the Goths had nothing of their own to contribute to the organization of a more highly developed city-civilization, the only possible policy for the barbarian king was the maintenance of the Roman system of personal property and trading relationships.

The most difficult problem for Theodoric was his relationship with the Catholic Church in Italy. As in other barbarian kingdoms, the king and his warriors were Arians; and among his followers were Arian priests and bishops. His great church in Ravenna, now "S. Apollinare nuovo," was built by him for Arians. But the Churches in Italy, when Theodoric conquered the country, were too strongly established upon the basis of the worship of Christ as

God for Arianism to spread. In any case, Theodoric showed no hostility to the established religion of the "Catholics" in Italy. The exceptional position, however, of the bishop of Rome made the situation much more difficult for an Arian king in Italy than it was, for example, in the Visigothic kingdom in Gaul. Theodoric had to deal with a Church which was not entirely local in its influence and prestige—with a Church of what might still be regarded as a capital. That Rome had not been the capital of an Empire for more than two centuries did not lessen—it may even have increased—the prestige of the bishop of a city which was rapidly becoming the capital of Latin Christendom. The policy of Theodoric, therefore, in dealing with the bishops of Rome was inevitably ambiguous. As the representative of the established order in law and government, he expected and was granted the support of the ecclesiastical Authorities. The bishop of Rome naturally deferred to the *de facto* ruler of Italy, especially because he was recognized, in some sense, by the Emperor, and also because he maintained the structure of the old imperial system. No doubt, also, the Church approved and supported the peace and the increase of prosperity which Italy enjoyed under the rule of Theodoric.

When, however, difficulties arose as to the succession in the Roman bishopric, Theodoric seems to have been used as the imperial Authority had been used in earlier years, to arbitrate between rivals. In A.D. 499 two rival bishops of Rome had been elected by opposed groups of clergy and people; and, as it has been noted above, an appeal was made to Theodoric to decide which bishop should be acknowledged. He gave his decision for Symmachus, who was less inclined than the other claimant to compromise with the policy of Constantinople on a doctrinal question then in dispute. The fundamental difficulty of the Gothic regime, however, could not be overcome. The bishop of Rome, however friendly he might be to the Arian king at Ravenna, had closer relationships with the Emperor at Constantinople. The Churches of Italy formed part of a Christian organization which spread far beyond the frontiers of Theodoric's kingdom; and the bishop of Rome was himself the only patriarch of the West of a status equal, or perhaps superior,

to that of the patriarchs within the jurisdiction of the Emperor at Constantinople. Inevitably, therefore, the Roman Church had a moral influence, drawn from its connections with eastern Christianity and the Empire, which might undermine the authority of the king of Italy. Again, in A.D. 524 the Emperor Justin, at Constantinople began a persecution of the Arians in the East; and Theodoric felt the contrast of this persecution with his own toleration of Catholics in Italy. He sent John I, bishop of Rome, to Constantinople to negotiate a compromise and imprisoned him, after his failure, when he returned to Ravenna. Theodoric's hostility to the Emperor's persecution of Arians led him to suspect the loyalty of his own Catholic subjects.

Worse still for the Gothic king, in Rome survived the Senate. The Senators still preserved something of the prestige of an aristocracy which had once ruled the Roman world. They were wealthy and cultured men. Some of them had literary and philosophical interests; others had had administrative experience. And the Senate as a body was conscious of its own great past and of its traditional relations with the successor of Augustus at Constantinople. Theodoric visited Rome in A.D. 500 and was received with a suitable respect. He directed the repairs and restoration of ancient buildings in Rome and elsewhere. But other barbarian kings had dominated Rome from time to time during the past century; and all had fallen from power, while the Roman Senate survived. It can hardly be doubted, therefore, that there was a certain uneasiness in the relations between the Senatorial aristocracy and the uneducated barbarian dictator. Dictators are sensitive not only to the spoken words but also to the looks and manners of a wealthy and educated class which might naturally be supposed to be critical. Theodoric at Ravenna, therefore, could easily become suspicious of the aristocracy in Rome; and in A.D. 526 rumours that the Senators in Rome were in communication with the Emperor at Constantinople seem to have convinced the king that a plot was being hatched against him. The Senators Boethius and Symmachus were arrested and imprisoned at Pavia. Their Christianity, which was perhaps that of philosophical men of the world, was in any case of



the Catholic tradition, which was hostile to Arian priests and kings.<sup>1</sup> It is by no means certain that any actual movement against Theodoric had taken place either in the Senate or in the Roman Church; but Boethius was executed and soon after Symmachus also.

The suspicions or the reports upon which Theodoric acted are clear indications that he realized the insecurity of his throne and foresaw the danger to the Gothic kingdom of Italy. For about thirty years he had ruled an alien population; and as he grew old, he must have felt that his successor would be in a difficult position. The situation was obviously changing; and when, a few months after the execution of Boethius, Theodoric himself died (August 30, A.D. 526), the continuance of the Gothic kingdom was rendered still more uncertain by disputes about the succession.

#### *A Question of Policy*

The new situation in Italy is indicated in the official letters which Cassiodorus continued to write as secretary to the Gothic rulers of Italy. There were two chief difficulties to be faced: first, securing the allegiance of the Gothic warriors for some successor to Theodoric, and secondly, forestalling the danger of an invasion of Italy for the restoration of the Roman Empire there under Justinian. The immediate successor of Theodoric was his grandson Athalaric, a child under the control of his mother Amalasuntha. There may have been distrust among the Goths either because the new queen and her son were educated in Roman traditions, or because a woman could not lead warriors. The letters of Cassiodorus in the eighth and ninth books of his collection are written in the name of Athalaric; and these are in the same tone as the official letters of Theodoric. But Athalaric died at the age of eighteen in A.D. 534,

<sup>1</sup> Boethius had great influence in medieval Europe because of his book on the *Consolation of Philosophy*. This book is supposed to have been written by Boethius during his imprisonment. The chief argument of the book is that Reason (Philosophy) and the universe revealed by Reason gave consolation in times of trouble. There is no reference in it to Christ or Christian doctrine; but it is full of the teaching of Plato and of the Greek tradition in philosophy. Boethius was obviously a rationalist; and it was precisely his appeal to Reason which attracted readers in the medieval atmosphere of superstition and fear.

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and Amalasuntha then called upon her cousin Theodad Theodatus to be joint ruler with her of the Gothic kingdom. In the letter announcing this decision to the Emperor Justinian, Amalasuntha is made to say: "We have appointed to the sceptre a man so close to us in brotherly connection, in order to maintain the unity of empire by strengthening us in sharing our councils." In the next letter Theodad is made to say to Justinian: "It is the custom of all kings among the different peoples to announce the joy of their succession in order that they may gain the respect of a foreign prince from the fact that both are rulers."<sup>1</sup> Theodad then had no further use for Amalasuntha, and so had her murdered; but Cassiodorus continued to write letters for him, both to persuade Justinian not to make wars upon the Goths and to persuade the Senate in Rome not to suspect or fear the advance of his armies. Evidently the hostility to the Goths in Italy had increased, especially among the inhabitants of Rome, and it was difficult for the new Gothic king to persuade the Senate that the Goths were defenders of their liberties against the Roman Emperor. To the people of Rome, Theodad, or rather Cassiodorus, writes: "Let no unsuitable suspicions and no shadow of fear disturb you. Your loyalty (*Fides vestra*) should be more clearly shown."<sup>2</sup> To the Senate he writes, in reference to the Gothic army outside Rome: "Let your armed defence stand outside your walls, and within them the quiet of civilized life."<sup>3</sup> The troops of Justinian had taken Sicily and were allowed by the son-in-law of the Gothic king, in A.D. 536, to cross the Straits to Reggio. At those same straits Alaric had been held up more than a hundred years before; and now a Roman army crossed them by the treachery of a Gothic prince to destroy the Gothic kingdom in Italy. The Goths, like other barbarians, were divided among themselves. Some of their warriors chose a certain Vitigis as king; and Theodad was murdered. Cassiodorus obediently writes in the name of the new king to all the Goths to announce that the Gothic people have found a "martial king."<sup>4</sup> Rome was captured and recaptured by

<sup>1</sup> Cassiodorus, *Var.*, x, 1 and 2. Theodad was the son of Amalafrida, sister to Theodoric.

<sup>2</sup> *Ibid.*, x, 14.

<sup>3</sup> *Ibid.*, x, 17. "Foris sit armata defensio: intus vobis tranquilla civilitas."

<sup>4</sup> *Ibid.*, x, 31. "Regem sibi martium geticus populus invenivit."

Belisarius, the general of Justinian's troops. A new Gothic king, Totila, was elected in A.D. 541, who emptied the city of Rome of all its inhabitants in A.D. 549 and was slain in a skirmish in A.D. 552. In that same year, for the fifth time, Rome was taken by the troops of Justinian and the last remnants of Gothic control in Italy were destroyed after eighteen years of war in March A.D. 553. It is said that one-third of the population of Italy was destroyed as a result of the attempt of Justinian to annex to his empire the ancient seats of Roman authority.

The policy of Justinian was the crudest form of archaism. But in Italy those who maintained the Roman tradition had evidently conceived an alternative. Cassiodorus and the other officials who supported the same policy had hoped that Gothic rulers and warriors would restore and re-establish the Roman system of law and administration in the West. Cassiodorus himself had written a history of the Goths which was intended to be a political pamphlet in favour of this policy. He describes the purpose of this history in a letter written in the name of Athalaric to the Senate in Rome;<sup>1</sup> but the original is lost. It was read, however, probably at the residence of Cassiodorus himself, to which he had retired after the destruction of the Gothic kingdom, by Jordanes. Jordanes was a Goth who is believed to have become a Catholic bishop; and some years later he wrote, probably in Constantinople, a work on the history of the Goths which is almost entirely derived from the work of Cassiodorus.<sup>2</sup>

The history of the Goths by Jordanes is important as a source of information; but it is much more important for the present argument as an expression of policy. The policy may have been only that of a cultured few who faced the problem whether the Roman system could absorb and be invigorated by Gothic barbarism. But it was a policy which its supporters believed to be based upon the natural tendencies of their time; and it had at least somewhat less archaism than the ridiculous and wholly futile policy of Justinian. According to Jordanes the Goths have an important place in world

<sup>1</sup> *Var.*, ix, 25.

<sup>2</sup> Cassiodorus probably finished his history in A.D. 521, and in any case before the death of Athalaric in A.D. 534.

history. They are connected with the traditions of the Trojan siege of Troy. The Trojan Malud was said to be a Goth, and the Goths were all due to the Romans. At the same time, such a Rome long ago but did not, as barbarians did, so it was first; nor did the Goths allow any injury to be done to the sacred place. Later on the Visigoths assisted the Romans to destroy the Huns under Attila; and then the Emperor Zeno supported Theodoric in his conquest of Italy; but finally Belisarius destroyed the Gothic army there. And the history ends with the surrender of Vitigis. There is no mention of Totila or Narses. But the last words of the book refer to the marriage of Matasuentha, daughter of Amalasuentha, to Germanus, brother of the Emperor Justinian. The son of this marriage, according to Jordanes, united the hopes of both races. Evidently, therefore, it was to the Roman tradition that Jordanes was compelled to look; because all that was left of the Gothic kingdom of Italy was a small portion of the royal blood of Theodoric. There was no hope, in fact, for an assimilation of Roman civilization and Gothic barbarism upon equal terms.

### *General Conclusions*

The general results of the creation of the first barbarian kingdoms in the West may be described in summary form as follows. Political, administrative and judicial authority as well as military force was decentralized. There were several independent and equal sources of governmental authority in place of dependent governorships under one military autocracy. The new kingdoms were the result of conquest by armed bands of ignorant, superstitious and treacherous barbarians, who subjected to their desire for wealth a more highly civilized population. The fact that different barbarians had succeeded in imposing their rule on different parts of the Roman Empire was generally regarded as the will of God. There was, no doubt, some disagreement in answering the question why God should have so willed; but no one at that date seems to have doubted that the greed and violence which were the real foundations of the barbarian kingdoms had results which should be accepted as decisions made by God. The bishops under the different

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barbarian kings usually accepted their authority so long as they did not actually persecute the Church. And although the Churches in all the different kingdoms retained the old Roman language and the sense of unity across the new frontiers, this did not seriously affect the division of political authority among many different kings. St. Augustine wrote that the division of the world into many different kingdoms was a result of sin, because he believed that the ideal form of government was that of a single Empire including all Christian peoples; and the same explanation of the existence of several States dominated the thought of the Middle Ages, as in the works of Aquinas and Dante. The existence, therefore, of several independent and equal kingdoms was regarded as a regrettable necessity and not as an improvement upon the imperial domination of a single dictator. But in practice the barbarian kingdoms were maintained, at least for some centuries, as the only possible form of government. The ruler in each kingdom was closer to his subjects than the Emperor had been; and his armed forces could operate more efficiently over a restricted area. The frontiers between the new kingdoms were not defined; and the balance of power between them was constantly changing, either because of internal disunion or as a result of warlike expeditions of one against the other. There was a centre of power and authority in each kingdom, but no clearly defined circumference to mark the limit of the efficacy of each Government. The very vagueness of the conception of a frontier in the new kingdoms has influenced political thought and practice ever since. The frontier of the Roman Empire had been clearly defined; but it was a military frontier, outside of which in the West was only barbarism. No one thought of the Roman Wall in Britain or of the *Limes* in Germany as anything but a system of exclusion. The frontiers in the Roman tradition, therefore, at least in the West, were not lines of contact between one State and another but divisions between civilization and barbarism. When, therefore, the new barbarian kingdoms came into existence as centres of authority and used, as far as their barbarism allowed, the Roman experience of law, government and public policy, they had neither a theory nor a practice of what

would now be called international affairs, to rely upon. Each separate kingdom inherited the mistaken idea that a State was distinguished from what lay outside it, as civilization is distinguished from barbarism. There was no governmental system connecting the new States; and their relations, therefore, were what Hobbes called those of a "state of nature." Medieval and modern Europe inherited from these Dark Ages their intellectual and emotional darkness in what are now called international affairs.

Secondly, even to-day an obscure idea survives of distinction between the functions of Church and State, which is derived from the Middle Ages. The later medieval conception of two social organizations, one "spiritual," the other "temporal," one a "Church" and the other a "Kingdom" or "State," was not derived from any analysis of the nature of things or of human nature. Nor was it derived from texts of the Bible which were quoted in support of it. It arose out of the actual situation in western Europe after A.D. 400, when the bishops of the several Churches and the kings of the barbarian kingdoms had to find some way of living together.<sup>1</sup> The organization of the Churches was in fact distinct from that of the old imperial regime. The Churches were in a very peculiar position of dependence upon the Emperor after Constantine had allowed Christianity its place as a recognized religion in Roman Law. Bishops did indeed rebuke Emperors; but they never wavered in their reverence for Roman Order. Roman civilization was obviously older than the Churches; and it embodied in law and administration a much fuller and more detailed system of organized social relations than the Churches. Also it was one system covering the whole known world; and the Churches until the fifth century were still separately organized and almost independent, one of another. The Roman Empire had a kind of divinity of its own, as the kingdom of the Last Age, even if good Christians might find in it traces of the Devil. Thus at first the Church was inferior in prestige to the State.

But when the Roman Empire in western Europe disappeared,

<sup>1</sup> A similar situation occurred in Egypt between 300 and 200 B.C. when the Ptolemies, who were Greek "barbarian kings," had to reconcile the old Egyptian priesthood to the acceptance of their rule.

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the barbarian kingdoms did not inherit directly the "divinity" of the old system of law and government. Such divine authority as could be required by the new kingdoms had to come, therefore, from the Church.<sup>1</sup> It had been said that the Church lay within the Empire.<sup>2</sup> And when that was said, the Empire was obviously more necessary to the Church. But when the barbarian kingdoms took the place of the Empire, each kingdom obviously lay within a Church whose prestige and authority extended far beyond the frontiers of any State. This new situation changed, both in practice and in theory, the relationship of the spiritual and temporal Powers.

It follows also that under the new system at the end of the fifth century there was a much clearer distinction than ever before between force as an instrument of government and moral authority as the justification for the use of such force. The Churches in the different kingdoms might indeed submit to conquest and subjection under barbarian kings, as men acquiesce in the results of a flood or earthquake. But such acquiescence does not imply an admission of moral authority in a destructive force. Even successful revolutionaries have sooner or later to discover some other ground than their success for their claim to be obeyed. The barbarian kings of the fifth century, therefore, were compelled to look to the Christian Churches, and primarily therefore to the bishops, for the maintenance of their moral authority over their subjects. And this situation continued for centuries into the Middle Ages. The dependence of the newly-established kingdoms upon the older Roman tradition of moral authority, now represented by the bishops, is one of the most important sources of the medieval difficulty about the relations of State and Church. The Church became in one sense superior to the State, because its prestige was greater in western Europe, from the fifth to the ninth century, than the prestige of any single king, however powerful.

Again, in all the early barbarian kingdoms from the fifth until perhaps the seventh century, there were two quite distinct groups of subjects under the king. The barbarian warriors and their families,

<sup>1</sup> Optatus Milev., *De Schismate Donat*, iii, 3. *Pat. Lat.*, 11.

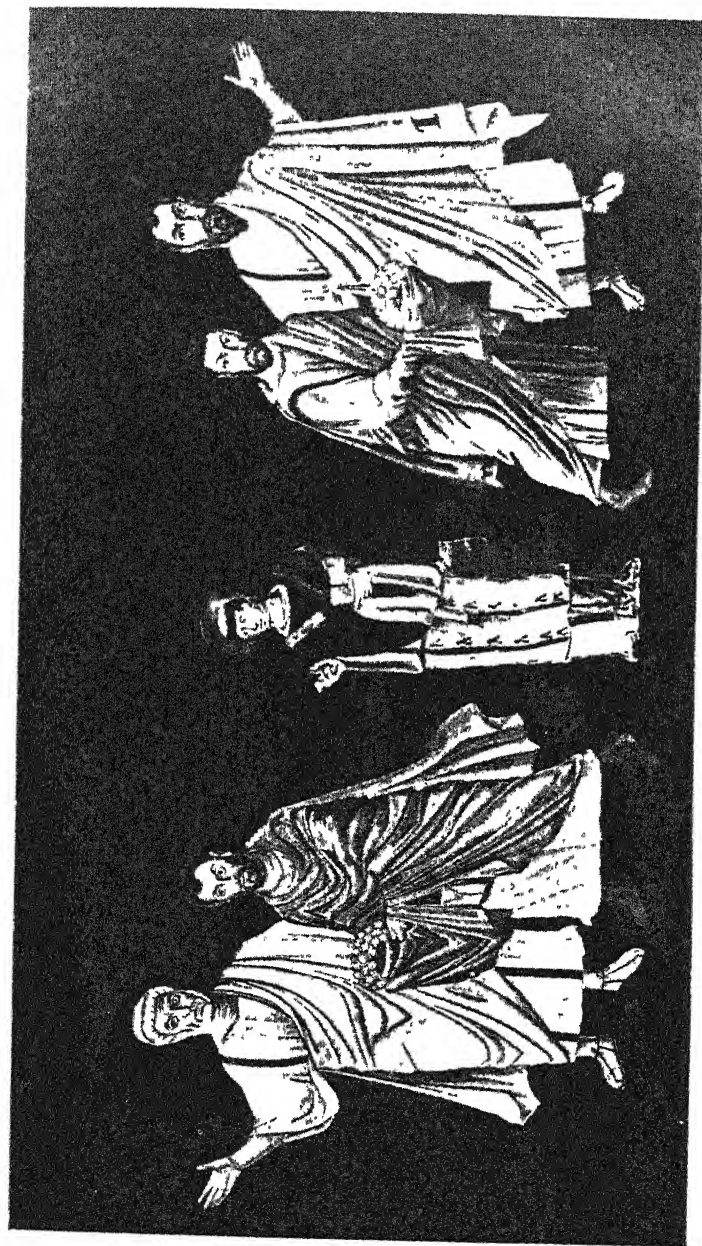


PLATE 4. SS. PETER AND PAUL MOSAIC OF ABOUT A.D. 850 IN THE CHURCH OF SS. COSMAS AND DAMIAN, PAVIA.  
 Related to pp. 116 and 117.

N.B. The central figure is that of a clerical saint (c. A.D. 850) which is inserted for comparison.





who were encamped as conquerors in the old Roman lands, had laws and customs of their own. Their rights and duties were decided in accordance with their tribal conditions. On the other hand, the conquered Roman population continued to be governed in accordance with Roman Law. Therefore law and custom in western Europe for many centuries after the fifth were "personal" and not local. That is to say, a person had rights and duties and was judged in disputed cases as a member of a particular race or as a member of a social community distinct from another community within the same State or even the same city. In a famous passage of a treatise by Agobard, bishop of Lyons, in the ninth century, it is said that five men might be together, each of whom would have to be judged according to a different legal system.<sup>1</sup> This will be discussed later.

But besides the distinction between the barbarian conquerors and their Roman subjects, there was a distinction between the clergy of the Catholic Church and those who held political authority. From this point of view the great body of the Christian people was ruled by two distinct groups of men—the clergy, represented chiefly by bishops, and the warriors of the king's company. This is the origin in practice of the medieval contrast between the cleric (*clericus*) and the soldier (*miles*).<sup>2</sup> The distinction is not one of sacred and secular within the lives of all men, but a distinction between two types of authority, both claiming to be divinely appointed. Of the two the clergy were the more democratic, in the modern sense of the word, both because of the Christian tradition of equality among all Christians and because of the survival of some form of popular election as the basis of the authority of priests and bishops. The clergy had indeed, by the beginning of the fifth century, become a caste; and the original meaning of the word "caste" itself (*castus*—pure) indicates the reason for their separation from other Christians. But bishops and priests remained in closer touch than kings and warriors with the majority of the inhabitants of the new kingdoms,

<sup>1</sup> See below, p. 321.

<sup>2</sup> It has been noted already that "soldier" (*miles*) in the late Roman Empire is almost the equivalent of "barbarian" (*barbarus*): but in the Middle Ages the same word *miles* came to mean "knight."

partly because of a common language, Latin, and partly because they represented the tradition and customs of the old Roman civilization. The other authority, which in later times was called secular or temporal—the *miles* as contrasted with *clericus*—was alien, maintained by force of arms and suspicious of popular movements among its subjects. Here, then, is the origin of some aspects of the State in later times. When, for example, Ennodius called Theodoric “*status reipublicae*,” he implied that “the State” was something external to the social system which the king controlled. The “State” was certainly not “the people.” It was an external organization which cared for “the people” only as a good farmer cares for his cattle. The Germanic kings and their warriors were so ignorant and simple-minded, that they may have thought themselves superior to their subjects because they had a greater power to loot and to kill. But by all the standards of civilized life they were savages in control of a machine which they did not understand.

It follows from this contrast between the clergy and the political or military Authorities, combined perhaps with the conception of “personal” law, that the clergy could reasonably claim to be treated under a separate law of their own. In fact, synods and councils had for some centuries laid down canons which were rules, partly affecting all Christians, but mainly concerned with the organization and rights of the clergy. These canons will be discussed in a later chapter. For the purpose of the argument here it is necessary to note only that the canons of the different Churches were collected and enforced long before the barbarian kingdoms came into existence. Thus “Canon Law” in the new kingdoms had the prestige and authority of antiquity and of an older civilization, before the laws of the barbarian kingdoms were formulated. The rights of the clergy, which so disturbed kings in the Middle Ages, had their origin in this situation. The clergy of the Catholic Church, under barbarian kings who were at first all Arian heretics, claimed and were granted a distinct “personal” law, as the Roman population had a law which was distinct from that of the barbarians.

It is worth noting, finally, that in the new barbarian kingdoms,

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as contrasted with the later Roman Empire, the military forces upon which the rulers relied were not mercenaries. The barbarians had entered into the Roman Empire at first as instruments of imperial policy, paid for their services with loot or land. But now, in each barbarian kingdom, the barbarians fought and ruled for themselves under kings of their own choice. And the king, ruling in the midst of a subject population much more numerous than were his immediate barbarian followers, relied upon some form of personal loyalty to secure the support of his warriors. Some of these warriors were, in course of time, settled as holders of land within the barbarian kingdoms; but even before the new principle of service in payment for land-holding was established, a fundamental change had taken place in the organization of the military force under the control of a Government.

In the fifth and sixth centuries such thinking on social and political problems as remains, preserved in the documents of the time, was hampered by ideas and terminology drawn from the experience of the Roman Empire. The letters of bishops and kings in the sixth century, therefore, do not explicitly recognize the new situation. The actual relationship between kings and bishops, between political and ecclesiastical authority, had already begun to take the form which was familiar in the Middle Ages. But policy and the action of powerful personalities were far ahead of theory and doctrine. An experiment in social and political organization had begun in western Europe. An entirely new world was coming into existence. But those who thought at all on such matters still looked back and not forward for guidance.

It is clear from this description of the situation in western Europe at the beginning of the sixth century that two types of institution, the Church and the State, had developed in new forms since the disappearance of the Roman Empire in the West. The Churches in the West were not indeed yet united in one system so closely as they were in the Middle Ages; but already the tendency to unity was strong among them. And the tendency to division in law and administration was producing the many different States and systems of government of medieval and modern times. Again, the Churches

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maintained education and public services in support of the poor, as well as a traditional jurisdiction—functions which had hitherto been performed by the Roman Empire. The “State,” on the other hand, in each barbarian kingdom, was hardly more than an instrument of armed force and a means of maintaining barbarian customs and traditions in a more civilized world.

## CHAPTER VI

### LATINS AND GREEKS

The western world of the First Europe was Latin. The eastern was Greek and Mohammedan. The division between the two began when the first barbarian kingdoms in Africa and Italy were destroyed by a restoration of the Roman Empire in the sixth century. But the Empire was then Roman only in name. Its capital was Constantinople. Greek and not Latin was the language of its Court, its educated class and its new laws; and the majority of the bishops in the Latin-speaking Churches of the West could speak no Greek. Commerce and intellectual intercourse between the countries of the western and those of the eastern Mediterranean had been interrupted by Vandal piracy and Gothic rule in Italy and Spain; and the restoration of unity in the sixth century, followed as it was by fifty years of disastrous plague, never reconciled the Latin-speaking West with the Greek-speaking Empire or its Churches. When, therefore, at the end of the seventh century a new and strange religion—"an armed doctrine"—almost suddenly overthrew the Roman provinces and the Catholic Churches of north Africa, and later the kings and bishops of Spain, the western world was already separate from that of the Greek-speaking Empire.

The first change in the situation in the western Mediterranean was largely due to the archaism of the Emperor Justinian, who revived military adventures in the old Roman manner. Expeditions of armed forces, calling themselves Roman, were sent to Africa, Italy and Spain. Belisarius won victories for the Emperor; and he and his generals destroyed the Vandal kingdom in Africa after many vicissitudes in A.D. 534. The Ostrogothic power in Italy was destroyed in the same manner in A.D. 536; and it seemed for a

time as if the Roman Emperor at Constantinople might once again look forward to governing an Empire in the West.

But the armies of Justinian were Roman only in name. Procopius, the secretary of Belisarius, who wrote in Greek a history of the Vandal and Gothic wars, often remarks upon the differences of language in the army and notes peculiarities of Latin or Roman terms.<sup>1</sup> The soldiers of Justinian were recruited among all the different nations of the East; and although at first welcomed by the people and the clergy of Africa and Italy as saviours from barbaric and heretical tyranny, they seem generally to have been treated in the West as "Greeks." The exactions and oppressions of the representatives of imperial power soon became even more hateful in Italy and Africa than the rule of Goths and Vandals. For more than a century, however, the province of Africa was united under the imperial system of government, with its capital at Constantinople; and the African Churches as well as the traditional Roman culture there survived so long, only to be destroyed entirely by the Mohammedan Conquest in the early eighth century. Elsewhere the destruction of Gothic kingdoms was followed, after a few years of imperial control, by new barbarian kingdoms under Catholic kings.

This destruction of kingdoms ruled by Arians and the establishment of kingdoms ruled by Catholics gave the bishops of the Western Churches new power and new responsibilities. The fundamental problem in the social situation, from the middle of the sixth to the end of the seventh century, was the place and nature of authority. The kings and their warriors maintained themselves in power by murder, treachery and war. And the use they made of their power was no less questionable than the means they took to obtain it. By most of the kings and warriors, power over other men was desired for the sake of wealth which could be expended upon feasting and the indulgence of the simplest sexual passions.

<sup>1</sup> Procopius, *Hist.*, iv, 13, 33; iv, 26, 17, *κασοῦλον τῇ Λατίων φωνῇ καλοῦσι Ρωμαῖοι*. In v, 18, 40 and v, 25, 11, vii, 9, 22, vii, 21, 4, a Gothic warrior taunts the imperial army as "Greeks." And in vii, 26, 25, an Armenian soldier speaks no Greek, Latin or Gothic. At a later date Paul the Deacon in his history of the Lombards quite frankly calls the imperial armies "Greeks."

But the kings always claimed to administer justice; and although their justice was influenced by bribes, it may be supposed that some advantage fell to ordinary folk, if they could appeal from one oppressor to another. A king of sufficient military ability would also provide a certain amount of security for his subjects against the raids of rival kings or marauding warriors. But it can hardly be imagined that the early Frankish kings, for example, regarded themselves as "defenders of the peace" on behalf of common folk. Finally, the kings had a certain magic which accrued to them from the traditional reverence of their warriors, and may have been connected with the belief in a hereditary authority attached to persons of a certain family. One sign of authority at this date was long hair. As in many primitive communities, so among the Franks the hair seems to have been regarded as somewhat uncanny, or as containing some form of power. And many a Frankish prince suffered from the same treatment as Samson is said in the Old Testament to have suffered, when his rivals wished to degrade him. Here again, there may have been some value in the magic of kingship for the common folk who paid by exactions for the privilege of being ruled. But not until the Churches, through bishops and monks, were able to dominate the minds of kings, did these kings learn to excuse their seizure of power on the plea that it was of advantage to their subjects. The conception of government, or even of armed force as a public service, is the basis of civilized life; but this conception was quite unintelligible to the ruffians who overran and ruled western Europe, until the influence of the Roman tradition was brought to bear upon them by the Roman Church. The Germanic kings and warriors—Franks in Gaul, Saxons in England and Lombards in Italy—in the sixth century contributed nothing to western civilization except their ability to learn its alphabet from Christian bishops.

The bishops, on the other hand, had to face a difficult problem. If they continued to act as opponents or critics, as they did under Arian kings, or if their acquiescence was unwilling, they might be unable to influence the kings and warriors who held control of the population. If, on the other hand, they supported the kings, they



were committed to actions and policies of which the best bishops could hardly approve. In practice, the bishops supported the new kings; and in the course of the century the Church paid the price for thus attaining power. The bishops in general attempted to make the kings the instruments of Christianity, as they understood it. But the acceptance of Christianity by unlettered, violent and treacherous warriors changed the character of the religion which the bishops intended to promote. The Christianity of Augustine in the fifth century, in the midst of a Roman world, was very different from the Christianity of Gregory of Tours or Pope Gregory at the end of the sixth century. Christian religion, like government, acquired some of the characteristics of barbarism; but it survived.

#### *Sources of the Power of Bishops*

The influence of the bishops in the seventh century in Gaul, Italy, Spain and Britain, was due to two chief causes. In the first place, the great majority of the bishops, even at the worst period of moral degradation in the late seventh century, were morally and intellectually superior to the kings and their warriors. The best bishops did not aim at wealth. They controlled the properties of the Churches for the advantage of their people. They were still dependent upon clergy and people for the maintenance of their influence, even when, in the late seventh century, in Gaul, the kings had control of episcopal appointments. Again, the bishops never lost the conception of public service in the exercise of their functions. All the great bishops of this time claimed to be servants of the servants of God; and the moral prestige which flowed from this claim made the bishops powerful opponents of selfish and violent kings. Whatever may be said by those who call themselves "realists," the influence of a person who is obviously not working for his own advantage is greater, even in a savage society, than that of one who aims obviously at the satisfaction of his simplest appetites. It need not be supposed that the majority of bishops were men of outstanding virtue; and certainly in those days the conceptions of virtue were simple enough. But the bishops stood

for a conception of human relationships and of justice far higher than was implied in the most bombastic claims of kings.

Not only in moral qualities, but also in intelligence and knowledge, the bishops in general were far superior to the kings and warriors; and in spite of the decay of learning and the general collapse of civilized life, the clergy alone among Christians preserved the remnants of the old literature and learning. The bishops were the patrons of such education as still existed. For example, Gregory of Tours describes how a bishop was deceived by a priest who claimed to be able to teach children, and eagerly appointed him to a school. Instruction and preaching were regarded as the chief tasks of bishops, as described in the *Pastoral Rule* of Gregory the Great. And, in a society in which few could read or write, and no king or warrior attempted to do so, acquaintance with letters carried a certain prestige. To the ignorant and the uneducated, the power derived from books seems almost magical. Knowledge, even when its nature is misunderstood, is impressive.

Indeed, the bishops lived intellectually in a world much larger than that of the kings and their warriors. For the bishops, the wide heaven extended over the whole known world. They were aware that the tradition they maintained had been growing for five or six hundred years. And the bishop of the most insignificant See in Gaul or Italy or Spain felt that he and his people formed part of a civilized world whose frontiers seemed to extend to the ends of the habitable earth. But the world in the mind of a Frankish, Visigothic or Lombard king was hardly more than a memory of his grandfather's prowess and of the extent of his own marauding. The military and political rulers of the time were therefore at a great disadvantage in dealing with the bishops, because of the limits of their intelligence and understanding; and it follows that, in the contest for influence in the new society, the advantage lay with the bishops.

### *The Monks*

But the Christian Church had developed another instrument of moral authority, besides its clergy. The monks and nuns of western

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Europe had been steadily increasing their influence from the fifth to the seventh century. Monasticism as a manner of living and the moral ideals it implied will be discussed later. Here it must be touched upon only as a force within the communities of western Europe, directing and controlling the development of law and order. At the beginning of the fifth century the work of Cassian established the eastern tradition of asceticism in southern Gaul; and at that date there were already in the cities of the western world religious enthusiasts, calling themselves monks, who annoyed St. Augustine in his more practical mood, as expressed in his treatise *On the Work of Monks*. In caves and other wild places were enthusiasts who also annoyed Rutilius because of their neglect of civic duty. But the ascetic movement which involved disregard of the collapse of civilized life was gradually organized under Caesarius of Arles, Columban, Cassiodorus and St. Benedict. The more enthusiastic Christians who retired from the world were induced to live together under some sort of regulation; and when, in the sixth century, St. Benedict used Roman common sense and the Roman tradition of order in the establishment of his Rule, the monastic movement was reunited with the general current of civilized life. From the middle of the sixth century monasteries under established authority were being founded all over western Europe. They became the centres of peaceful agricultural settlement and of such learning as still survived. And some of the greatest bishops and missionaries of the sixth and seventh centuries were trained within the monasteries. Nunneries were established within the same system; and both monks and nuns were brought into constitutional relations with the bishops and clergy.

These groups of men and women, removed from the contest for wealth and power and obviously superior in intelligence and character not only to the majority of common folk, but also to the barbarian kings and warriors, gained an immense influence over the whole social system. Their work in the civilizing of the First Europe during the sixth, seventh and eighth centuries can hardly be estimated too highly. They not only preserved what was left of the older tradition of civilized life, but also carried into the

wilder parts of western Europe new methods of agriculture and other production.

*Magic as a Source of Power*

It would misrepresent, however, the climate of opinion in the sixth and seventh centuries to describe it only in terms of moral standards and intelligence. All men at that time were convinced of the existence of magical power which might be possessed by certain persons or made available for anyone if the right materials and rituals were used. The barbarians who ruled as kings and warriors were as frightened of unknown powers around them and as eager to know the trick for controlling them as any other savages. They brought from the forests and marshes of Germany into Gaul, Italy, Spain and Britain the simplest savage magic, such for example as was later developed in the ordeal. And it is clear from the accounts given at the time of the conversion of kings that the magical powers which were supposed to belong to Christian ritual were at least as powerful as any moral excellence in persuading the barbarians to accept Christianity. To the simple minds of savages, even the influence of an unselfish and high-minded bishop would seem to be magical. The awe inspired in Attila, for example, by Lupus and Leo was, no doubt, due less to a perception of superior moral stature than to fear of an uncanny power which he did not understand. Again, in the later sixth century and in the seventh century, the barbarians with whom the Churches had to deal, were not such men as the Goths and the Vandals of the fifth century, who had been already for some generations under the influence of Roman civilization. The new barbarians, the Franks in Gaul and the Saxons in Britain, were, in the simplest sense of the word, savages. They came from beyond the frontiers of the old Roman influence; and when they were converted to Catholic Christianity they passed over a chasm much deeper and wider than Theodoric faced when he conquered Italy, or Alaric II, king of the Visigoths, when he published his laws in south-western Gaul. The Franks were well known to the Romans as the most treacherous among barbarians; and the Saxons who eventually settled in Britain were

pirates without any appreciation of the civilized life they destroyed. It was natural, therefore, for such men to seek in Christianity magical powers rather than moral excellence. Like all savages they believed in the efficacy of sacred formulas and taboos. And the Church provided both. The influence of the bishops, therefore, on the kings of the seventh century, depended partly, if not mainly, upon the supposed efficacy of the rituals they performed and upon the supposed power of the relics of saints whose guardians and agents they were. Clovis, for example, after his baptism, was evidently afraid of the power of the relics of St. Martin at Tours and commanded his army to be careful not to offend the saint on the expedition against Alaric, king of the Visigoths.<sup>1</sup> And when at a later date the Franks besieged Saragossa, they were terrified by a procession bearing the relics of St. Vincent and raised the siege.<sup>2</sup>

The belief in uncanny and dangerous powers, watching every man at every step, was shared generally by the whole world in the sixth and seventh centuries. And indeed, the bishops themselves, as is proved by Gregory's *History of the Franks*, shared the common belief in the power of relics to cure disease or ward off disaster. Gregory the Great, for example, writes in many of his letters that he is sending filings from the chains of St. Peter to his correspondents for the cure of sore eyes and other evils. As for the magical efficacy of ceremonies, a good example is to be found both in Gregory's *Dialogues* and in Bede's *History*, where the story is told of a captive who had Masses said for him at his home; and whenever the Masses were said, his chains fell off.<sup>3</sup>

The principle is the same as that implied in the use of ju-ju or obeah in West Africa and the West Indies. But it must not be imagined that the Christian clergy of the sixth century introduced or, at least at first, promoted magic. Both the barbarians and the Romanized populations of the sixth and later centuries believed in magic and magicians and in the presence of devils or demons everywhere. In fact, the Church actually reduced the number of magical practices, and organized them in some sort of connection

<sup>1</sup> Greg. Tur., *H.F.*, ii, 38.

<sup>2</sup> Ibid., iii, 29. *Pat. Lat.*, 71, col. 263, "timentes se ab ea civitate removerunt."

<sup>3</sup> Gregory, *Dial.*, iv, 57. Bede, *H.E.*, iv, 22.

with a simple standard of right and wrong. The power of the clergy and of the relics of saints was supposed to express the preference of God for justice and mercy. When, however, the magic of the clergy took the place of the traditional beliefs and practices common to the illiterate both in Roman civilization and in Germanic barbarism, it became more difficult for those who gained prestige or wealth from popular credulity to disregard their opportunities.

The magical power which gave the clergy such influence in the centuries between the fifth and the ninth, as well as later, had two sources. It came either from material objects regarded as sacred and taboo, or from persons who were believed to derive a special divine force from "ordination." The magical power of certain material objects is obviously believed in by all primitive peoples and by undeveloped minds, even in a civilized society. In the early Middle Ages, as in late Roman times, these material objects were the bones or clothes of saints, fragments of wood supposed to be parts of the "Cross," oil from lamps at saints' tombs, and even pieces of cloth which had touched a shrine.<sup>1</sup> Collecting relics and the "discovery" of saints' bodies were already highly developed in the fourth century; and relics were believed to be useful even for obtaining victory in battle from the sixth to the ninth century. All this will be discussed elsewhere in relation to the new moral standard. It is enough here to note that without the universal belief in the magical power of certain material objects the clergy could never have controlled the barbarian kings and their warriors.

But secondly, the clergy themselves claimed to have acquired by special rituals and formulas a magical force quite independent of their virtue or intelligence as individuals. Like the medicine-man in savage communities, the priest and bishop of the Christian Churches, after the fourth century, were regarded, not merely as sources of knowledge, but as holders of special magical powers derived directly from celestial Powers. This divides the clergy

<sup>1</sup> Gregory of Tours reports that a piece of cloth which had touched St. Peter's tomb "was so filled with divine virtue that it weighed much more than it had before" (*De Gloria M.*, 28).

completely from monks and nuns, whose social influence was derived entirely from their own individual excellence as estimated according to the standards of that age. For a time it seemed as if the influence of the moral authority of such monks as St. Columban or St. Benedict might rival the power of bishops and priests. But the minds of the majority of men and women in those centuries were so completely saturated by the belief in magic that the clergy soon proved to have an influence far superior to that of any holy men; and even monks found that they acquired additional power when they became priests or bishops. The magical power of the clergy was expressed chiefly through the sacraments, of which they were the ministers. These sacraments, and the rituals connected with them, certainly impressed with a sense of uncanny power the simple kings and warriors upon whom the bishops conferred them. The Emperor Constantine, being baptized on his death-bed, and the Frankish king Clovis, being baptized before new military expeditions, would equally feel that something had happened to them, which lay outside their limited experience of natural events. Thus, bishops and priests were able to control and direct the whole of the primitive society of those days. Ritual acts performed by persons regarded as sacred leave an immense impression on the minds of believers.

### *Sources of Information*

The written records of the period which happen to have survived are as follows. Procopius wrote a history of the Vandal war in Africa and the Gothic war in Italy. He was secretary to the commander-in-chief, Belisarius, and friendly to him; but clearly he had doubts of Justinian's wisdom in his policy of conquest. He was a non-Christian, who seems to have regarded the Christian Emperors of his time, Justin and his nephew Justinian, as uneducated or half-educated barbarians; and he also wrote, but never published, a book of scandalous stories, which has fortunately survived. In this he describes how the Emperor Justin, being unable to read or write—"which had never before occurred among the Romans"—used a stencil with the word "Legi" (I have read) for authorizing

official documents.<sup>1</sup> Justinian, he says, was barbarian in dress and mentality, and spoke Greek with a bad accent.<sup>2</sup> His wife, Theodora, according to Procopius, had been a revue-actress with a reputation for immorality. But Procopius in his published work on the wars had acquired enough fame to be induced by the hope of further favours also to write a description of the buildings constructed under Justinian, which has survived and provides some evidence of Greek influences upon the Latin Churches of Africa.

Evagrius, a Syrian lawyer who acted on behalf of bishops, wrote a history of the Church from A.D. 431 (Council of Ephesus) to A.D. 594. He died soon after that year. He touches upon the situation in Africa and gives an interesting account of the great plague. Of the Latin documents which remain, the most important for the history of Africa is a tedious poem by Corippus, a schoolmaster. For Italy, the letters of Pope Gregory I provide the most important contemporary evidence. But Paul the Deacon, in the ninth century, adds some information in his *History of the Lombards*. The situation in Spain is explained in a short history of the Goths by Isidore, bishop of Seville; and there is a polemical pamphlet against the Franks by Julian, archbishop of Toledo. But the most important documents of the period are the records of the Councils of Toledo, which established the tradition of kingship in a recognizably medieval form.

The buildings and mosaics of the sixth and seventh centuries should not be forgotten. Some of those which remain, especially in Ravenna and Rome, contain evidence of the extinction of Arianism and of the influence of the Greek or Byzantine art of the Roman Empire. Under Theodoric, about A.D. 500, the church now known as St. Apollinare Nuovo was built, originally for the Arians, and dedicated to St. Martin. Some of its early mosaics belong to the Arian period; but there are two later mosaic decorations representing lines of male and female saints, which were added later, perhaps in order to replace less orthodox scenes. In Ravenna also is the originally Arian church of San Vitale, of about A.D. 520, in which are the elaborate Byzantine mosaics of the Emperor Justinian

<sup>1</sup> Procopius, *Anecdota*, vi, 11.

<sup>2</sup> *Ibid.*, xii, 2.



and his wife Theodora, of A.D. 547. The figures of the Emperor and Empress bear the nimbus.<sup>1</sup> The great church of St. Apollinare in Classe also belongs to this period. In Rome the church of St. Agatha was originally built for the Arian Goths; and Santa Maria in Aracoeli was first built under Gregory I. Many others of the older basilicas belong to the sixth and seventh centuries. But perhaps the most striking records of the period are the walls of Rome. As they now stand they follow the lines established by Aurelian (A.D. 271) and Probus (A.D. 280). Some of their work remains. According to Procopius, part of the walls was destroyed by the Goths.<sup>2</sup> They were repaired under Theodoric in A.D. 500, and by Belisarius in A.D. 560. The walls of cities of this date serve as a reminder of the marauding bands roaming the countryside, and of the unarmed city populations with no stable Governments in control.

### *New Forces in State and Church*

During the sixth century new centres of social influence or power were formed by different forces in the five countries of the western world where the Roman Emperor had once ruled—in Africa, Italy, Spain, Gaul and Britain. In the first three the Roman Empire seemed likely in the sixth century to re-establish its authority; and there the old Roman names for the countries have survived until modern times, the province of Africa having later had its name extended to a vast continent then unknown. But in Gaul and Britain no attempt was made after the fifth century to re-establish Roman power; and in the seventh century the old names Gaul and Britain were changed, in the current Latin, to France (Francia) and England (Anglia). In these two non-Mediterranean countries the Franks and the Anglo-Saxons established the basis for a new social order; and they escaped the destruction and confusion which followed upon the Mohammedan conquests of the coasts of the Mediterranean. In all five countries, however, during the sixth and seventh centuries experiments were being made in law and government, both by the kings and the bishops.

<sup>1</sup> See reproduction, facing the title-page.

<sup>2</sup> Procopius, *Bell. Goth.*, iii, 22, 24.

In Africa, Italy and on the Mediterranean coast of Spain the authority of the Emperor at Constantinople was restored during the sixth century by the armies and fleets of Justinian. The peoples of Africa, Italy and southern Spain, who still retained the Roman tradition of civilized life in trade, manufacture and culture, were released from subjection to Germanic rulers. But the imperial forces which destroyed barbarian rule acted as conquerors in the old Roman territories; and most of the men in the fleets and armies were in no sense Roman. Not many years, therefore, after the re-establishment of the Empire, the common people of Africa, Italy and Spain suffered as much from the Empire as they had suffered under barbarian kings.

Again, the armed forces of Justinian destroyed the rule of Arian heretics and therefore the influence of the Arian clergy. The Empire stood for the Catholic Church; and its restoration in the West was at first welcomed by the Catholic bishops. At the same time, the increasing hostility of the people towards civil and military Authorities claiming to be Roman, who were, in fact, Greek or Asiatic, was soon reflected in the policy of the Churches. The bishop of Rome, in particular, was felt to have a special relation to the Roman Emperor; because, in fact, the Christian Empire had been deeply influenced by the authority of the Christian Rome of the Apostles and martyrs. It seemed for a time in the sixth century that the Roman Church would be committed by its connection with the Roman Empire to an ineradicable hostility against all barbarian rulers. But, as in the case of the common people, the bishops of Africa, Italy and southern Spain found that the restored Empire did more harm than good to the Latin Churches. And during the early seventh century the Churches of the West and, above all, the bishops of Rome, began to look to the kings in the West and not to the Emperor at Constantinople, for security and influence. While the Emperor still retained any power and authority in the western Mediterranean the bishops of the Catholic Church in that area felt themselves to be naturally allied with the Empire. They were in the same position as St. Augustine or Pope Leo I had been two centuries before. They were subjects of the Emperor. But as

the Empire gradually lost its hold in Africa, Spain and Italy, the bishops were compelled to make terms with any kings or other authorities who could be regarded as Christian or as possible converts to the Catholic Church.

The situation, however, was changing continually throughout the seventh century, largely under the quite unforeseen pressure of a new religion, that of Mohammed. Conquests by the adherents of this new religion weakened the Empire in the East and eventually compelled the countries of the western Mediterranean to give up all hope of assistance from the Emperor at Constantinople. Even at the beginning of the seventh century the Popes expressed in their letters a sense of despair in their appeals to the Emperor. They looked for assistance and support either to kings in the West or to their own diplomatic powers. And by the end of the seventh century the whole southern coast of the Mediterranean had been conquered by Mohammedan warriors and the influence of the Churches in Africa was finally destroyed. A few years later the same conquerors destroyed the precarious system of ecclesiastical and civil government in Spain. The relation of bishops and kings, in that country, remained only as a memory in the recorded canons of councils. But the Catholic Church in Spain had long lost any real contact with the Empire. Even in Italy, where the bishop of Rome remained, in theory, a subject of the Emperor until at least the middle of the eighth century, the Churches were compelled to make their own compromises with barbarian kingdoms of the West. The old tradition of ecclesiastical and civil government, inherited from St. Augustine and still maintained at the end of the sixth century by Pope Gregory the Great, was breaking down. The changing situation made it impossible to maintain that there was one Christian Church in one Christian Empire, or that the moral authority of civil government was derived solely from the divinely appointed Emperor of a distant and alien people in Constantinople. At this time also the division of languages between the eastern and western Mediterranean began more deeply to affect the position of the Churches. As sea-borne trade decreased, Greek ceased to be useful in the trading centres. Pope Gregory the Great

could speak no Greek, in spite of having resided as a Nuncio (Apocrisiarius) for many years at Constantinople; and the Latin Churches were often unaware of disputes and decisions in councils of bishops held in the East. In spite of the fact that a number of Syrians were bishops of Rome at the end of the seventh century, the language of the Roman Church and of all the Churches in the West was Latin. This alone would have divided the Churches in western Europe from the Empire, where Greek was being introduced even into the decrees of Roman law under Justinian.

The separation of the countries of the East from those of the West and North of Europe had, no doubt, many different causes. But that separation was already obvious in the early sixth century, at least a century before the Mohammedan invasions. The contrast between the *New Laws* (Novellae), of which the latest is dated A.D. 468, added to the law-books of Theodosius, in Latin, and the *New Laws* (Novellae) of Justinian, in Greek, proves that between about A.D. 470 and A.D. 550 the Latin world of western Europe was severed from the Greek world of Constantinople.<sup>1</sup> A difference of language is not merely a difference in the form of speech. It is a sign of difference in the climate of opinion. The Latin of the Roman Law and its derivatives united the countries of western Europe and divided them from the Greek-speaking world.

Both the Governments and the Churches of the West were distinguished as "Latin" from the Greek-speaking Empire and its Churches long before there was any final difference of doctrine or ritual. Each of the three countries on the coast of the western Mediterranean—Africa, Italy and Spain—had a direct and important influence upon the formation of medieval Christendom throughout the sixth century. But by the end of that century, in each of these countries, the structure of the Roman tradition was shaken or destroyed, in Africa and Spain by the Mohammedans, and in Italy by the Lombards. The situation, however, differed in certain important aspects in each of these countries; and it will, therefore, be necessary to consider them separately.

<sup>1</sup> A few of Justinian's *New Laws* are in Latin, addressed to officials in Illyricum and Italy; but the great majority are in Greek.

*Africa and the Empire*

The troops of Justinian, first under Belisarius, and later under Solomon, had destroyed the last remnants of the Vandal kingdom in Africa in A.D. 534. And from that time for more than a century the province of Africa and the northern coasts of the continent as far as the straits of Gibraltar, together with the islands of the western Mediterranean, were ruled by officials appointed by the Emperor at Constantinople. Soon after the defeat of the Vandals, the Governor of northern Africa took the title of Exarch. He was usually an alien supported by an army of occupation which was Roman only in name. But the new system of government represented the traditions of the Catholic Empire under Theodosius the Great; and Justinian clearly thought of his system of government in terms of ecclesiastical orthodoxy, as well as of imperial authority. The ruin and disorder in northern Africa, after a century of Vandal rule, and after the wars which extinguished it, seem to have been widespread. Cities were destroyed or deserted, fields uncultivated, and the population greatly reduced. Justinian's policy after re-conquest aimed at a restoration of the old conditions under Roman rule. Cities were rebuilt and water-supplies re-established. The Greek historian Evagrius, writing in A.D. 595, says: "Justinian is reported to have restored one hundred and fifty cities in Africa, some of which had been altogether, and others largely, ruined. This he did with extreme magnificence, in private and public works and adornments, in fortifications and other great structures by which cities are beautified and God is propitiated; also in aqueducts for use and ornament, the supply of water having been in some cases conveyed to the cities for the first time, in others restored to its former state."<sup>1</sup> The essay of Procopius on buildings gives details of the repair of walls and aqueducts, and the fortification of towns in Africa hitherto unwallcd.<sup>2</sup>

Many churches were repaired or newly constructed. But the ecclesiastical organization was under the influence of Byzantine or

<sup>1</sup> Evagrius, *H.E.*, ch. xviii.

<sup>2</sup> Procopius, *Buildings*, vi, 2 sq. Procopius also reports that Justinian built a church of the Mother of God at a place eighty miles south of the Libyan coast, where, until his day (A.D. 535), Alexander was worshipped.

eastern religious fervour, as it is proved by the many dedications to eastern Saints and by the importation of relics from the East.<sup>1</sup> Again, there was a vigorous revival of synods and councils of bishops, after the long years of persecution under the Arian Vandals. The canons of these councils maintained the ancient tradition of the African Churches; and a famous summary of Canons (*Abbreviatio Canonum*) was made by Fulgentius Ferrandus (d. A.D. 546), at about this time in Africa. The Catholic Church had, therefore, revived after the restoration of the south-western coast of the Mediterranean to the Roman Empire. The gratitude of the Orthodox, who were restored to influence by the destruction of Arian power, might have confirmed the identity of interest between the Church and the Empire. The Churches in Africa did indeed support the imperial Authorities and extended their influence by missions to the heathen among the Moors of the interior. But in Africa and the islands the Churches remained Latin, in spite of the Greek influence of the Empire. Their language, ritual and customs bound them to old Rome rather than to the Emperor.

The restoration of prosperity, therefore, and of religious orthodoxy along the coast, did not solve the fundamental difficulty with which Justinian's policy had to contend. The "Roman" population of the cities spoke and thought in Latin. They had no traditional connection with Constantinople. On the other hand, the troops of Justinian's Roman Empire were commanded by Greek-speaking officers; they regarded themselves as an army of occupation; and they were used to make the province of Africa and the country to the west of it mainly a source of income for the Authorities at Constantinople. Commerce was directed towards Constantinople. Again, the Moors of the interior were unsubdued; and grievances against the imperial Authorities led to raids and revolts, of which the most serious seems to have been that of A.D. 548. This was

<sup>1</sup> An admirable summary will be found in *L'Afrique Chrétienne*, by Dom H. Leclercq, 2 vols., 1904, Paris. The relics of Saints, conveyed to new countries, were used to increase the influence of the places from which they came. In the eighth and ninth centuries, for example, Rome exported relics to England and Germany, to the great advantage of the Roman See.

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suppressed by a general sent from Constantinople, whose victory forms the subject of some of the most painfully futile verses ever composed. The *Johannis*, written by an African schoolmaster, Corippus, about A.D. 550, describes the conflict with the various Moorish chieftains.<sup>1</sup> Corippus begins by remarking that Achilles had Homer, Aeneas had Virgil, and John had the author himself for a poet: to such a depth had the ancient tradition descended. The writer, however, carries on the history of the African wars for a few years later than those dealt with by Procopius; and, unlike that historian, he was a Christian. He therefore gives a very interesting account of the hymns sung and the Mass celebrated in the presence of the army of the Byzantines, in preparation for the final victory.

The suppression of Moorish revolts and the control of the discontent of the local population at an alien rule might have saved Justinian's Empire. But the ecclesiastical or theological policy of the Emperor was utterly fatal to it. Justinian, like Constantine and Theodosius before him, aimed at securing religious unity among all of his subjects; because he knew that controversies about ritual or doctrine easily led to riots and to disregard of the civil Authorities. But he made the same mistake as other Emperors before and after him, in supposing that he could impose unity of doctrine by his own imperial authority. In A.D. 544 he issued an Edict demanding the condemnation of three writers who were regarded as heretics. This opened the notorious controversy of the Three Chapters.<sup>2</sup> The bishop of Rome of that time, Vigilius, who had been appointed under imperial influence, was brought to Constantinople and made to sign an ambiguous document, the *Judicatum*. But the bishops of Africa were vigorously opposed to the policy of the Emperor; and Facundus, bishop of Hermiana, published, in A.D. 550, a pamphlet directed against the authority of the Emperor in matters of doctrine. He protested that the condemnation of dead bishops seemed to undermine the authority of the Council of Chalcedon which had

<sup>1</sup> Verses of Corippus in *M.G.H., Auct. Ant.*, iii, part 2.

<sup>2</sup> The "Three Chapters" or three "headings" (*capitula*) contained the list of the writings to be condemned as unorthodox—a letter of Ibas, the writings of Theodoret against Cyril and of Theodore of Mopsuestia.

not condemned them. But he went further and attacked the use of the imperial Power in the attempt to enforce orthodoxy.<sup>1</sup>

The Churches of Italy, and especially the Church of the city of Rome, repudiating the concession made by Pope Vigilius, were united with the Churches of Africa in opposition to the Emperor's policy. But Justinian, who seems to have been determined to be master in theological doctrine, supported a persecution of the clergy in Africa who were opposed to him; and this was a further cause, both of disunion in Africa and of opposition to the imperial Government. Imperial authority, therefore, which had been regarded by the African Churches as a means of restoring Catholic unity, had become a source of opposition to the Latin tradition of the western Churches; but the death of Justinian (A.D. 565) and the succession of his nephew Justin II, who cared for none of these things, brought peace to the Churches in Africa.

The one positive result of the doctrinal differences between Justinian and the Latin Churches, and of the restored contact with Constantinople in civil and military affairs, was the increased prestige of the bishops of Rome. The restoration of a Catholic Roman Empire with its Emperor at Constantinople naturally increased the importance of the bishop of "old" Rome. And the clergy of the Latin Churches were willing to use the bishop of Rome as their most powerful intermediary for protests to the Emperor. The increase in the influence of the Roman See was most obvious under Gregory the Great. His letters show that the Churches in Africa, Sicily and Sardinia, while the Emperor's agents and Exarchs ruled those countries, looked to the bishop of Rome for redress of grievances and protection against official oppression. Thus the bishop of Rome became a representative of the whole of the western world which was still part of the Roman Empire; but he acted in all his protests as a subject of the Emperor. Pope Gregory wrote to the Emperor Maurice (August, A.D. 596) to urge him to act on behalf on the Catholics in Africa:—

Bishops from the Province of Africa say that your commands have been disregarded by carelessness or connivance and that neither is the

<sup>1</sup> Facundus, *Defensio*, xii, 3. *Pat. Lat.*, 67.



judgement of God feared nor, so far, have the imperial decrees (against the Donatists) been put into effect. . . . I have thought it right to send these bishops to Your Piety that they may in person inform you of what, as they say, they have endured for the Christian faith.<sup>1</sup>

Again, the Pope attempted to correct the abuses of imperial administration in Sardinia, as a series of his letters shows.<sup>2</sup> He wrote to the Empress Constantina to ask her to bring to the Emperor's notice the abuses which were due to official action. These he describes as follows:<sup>3</sup>—

When I found that there were many heathens in the island of Sardinia, who, following the evil customs of heathenism offered sacrifices to idols, while the bishops of the island were not active in preaching the Redeemer to them, I sent thither one of the bishops of Italy, who, by God's help, has brought many heathens to the faith. He has, however, informed me of an impious custom in the island. He says that those who sacrifice to idols pay a sum of money to the governor for leave to do so. And when some of them were baptized and ceased to offer sacrifices to idols, the same governor, even after their baptism, compels them to pay the sum which they used to give for permission to sacrifice. And when the bishop reproved him, he said that he had promised so large a sum of money to procure his appointment to his office, that he could not possibly make it up without resorting to such expedients as this. The island of Corsica, too, is oppressed with such heavy exactions, levied besides with so much extortion, that the people can hardly meet them even by selling their children. Hence it comes to pass that those who own estates in the island forsake the Holy Empire, and are compelled to take refuge with the infamous Lombards. For what outrage can the barbarians inflict on them more cruel than to force them by oppression and extortion to sell their own children? In the island of Sicily we are informed that Stephen, the chartulary of the maritime district, is guilty of such injustice and oppression, in seizing the possessions of private individuals and claiming their lands and houses for the State, without any action at law, that a large volume would not suffice to record all his evil deeds.

Clearly, as a result of Justinian's policy, the bishop of Rome had increased prestige and power in Africa and the islands. The local Churches had been already weakened by schism and by the perse-

<sup>1</sup> Ep., vi, 61.

<sup>2</sup> Ibid., i, 47 etc. See Dudden, *Gregory the Great*, vol. ii, 241.

<sup>3</sup> Ibid., v, 38. Trans. Dudden.

cution of the Vandal kings. And when the Vandal kingdom was destroyed the African Church was no longer able to assert itself independently of the Roman Church, as in earlier days. Again, there were no local kings in Africa. The bishops had to deal only with an Emperor; and naturally, therefore, sought assistance from the only Patriarch in the West, the Pope, who could pass over the local officials and address himself directly to the Supreme Ruler in Constantinople.

Again, the Latin Churches were resolute in their support of the Council of Chalcedon, and therefore in opposition to the condemnation of the writers named in the three Chapters. Christianity in the West was more definitely Roman or Hellenic than it was in the eastern Mediterranean. The Latins who were determined, as against the Arians, to worship Christ as God, were equally determined, as against the Monophysites of the sixth century, to treat the Virgin Mary as the mother of a man. The Treatise (Tomus) of Leo I had become a gospel. The Latin Churches, therefore, were united in opposition to the Greek-speaking Roman Emperor. As Nicetius, bishop of Trier, wrote in a letter of protest to Justinian: "Be it known to you that all Italy, Africa, Spain and Gaul, weeping for your damnation, curse your name."<sup>1</sup> This clearly implies the existence of a sense of unity in the Latin West; and this sense of unity naturally reinforced the prestige of the bishop of Rome, who was both the successor of Leo I, and the only holder of an apostolic See among the Latin Churches.

But doctrinal discussion was less deadly to Roman civilization in Africa than the great plague which began in Egypt in A.D. 542 and spread with the renewed commerce along the coasts of north Africa, Spain and Italy. It was bubonic plague, like the so-called Black Death in the fourteenth century; and it continued throughout the imperial dominions for fifty years, with recurrent intensity every few years. It destroyed thousands on the north coast of Africa. It reached Italy in A.D. 543, and northern France in A.D. 546. In A.D. 565 it caused so much distress in Italy that no resistance could be offered to the invasion of the Lombards. Evidently the

<sup>1</sup> Nicetius Trev. *Ep. ad Justinianum*, Mansi, ix, 769.

infection came by sea, carried by rats or merchandise from the East. The effects of the plague are described by Evagrius.<sup>1</sup> He writes—"some cities were so severely afflicted as to be altogether depopulated, though in other places the visitation was less violent. . . . In my own case, at the beginning of this calamity I was afflicted with swellings (*bulboes*) while still a schoolboy, and lost by its recurrence at different times several of my children, my wife, many relatives and many of my domestic and country servants. . . . Then, not quite two years before my writing this, being now fifty-eight years old, on the fourth attack of the plague, in Antioch, I lost a daughter and her son." Then follows the description of the symptoms and an account of the spread of the infection by the flight of people from the stricken cities.

Thus the whole Roman Empire was weakened at the end of the sixth century, both by religious dissensions and by plague. In A.D. 610 Heraclius, son of the Exarch of Africa, sailed with an armed force to Constantinople, and made himself Emperor. Nine years afterwards, as it is said,<sup>2</sup> he proposed to remove the capital of the Empire from Constantinople to Carthage, either because he was uncertain of his hold upon the Greek-speaking populations of the East, or because military disasters had followed upon invasion by the Persians. The Roman tradition of government and religion, however, in northern Africa was soon after threatened by an altogether unforeseen enemy—a new religion of the desert. The followers of Mohammed first conquered Syria; and a flood of Christian refugees, both monks and laymen, fled to Africa and Sicily. Some of these monks were Monophysites—that is to say, believers in the "one nature" of Christ, as opposed to the Catholic doctrine that Christ was equally both man and God. In the midst of the dangers of invasion, the Emperors continued to attempt to secure doctrinal unity; but the only result was that a strong anti-imperial party, chiefly among the monks and clergy, was organized in Egypt and Africa. In A.D. 640 the Mohammedans invaded Egypt and were welcomed by the Monophysites, because they destroyed all possibility of persecution by the imperialists (Melkites); and

<sup>1</sup> Evagrius, *Hist. of the Church*, ch. xxix.

<sup>2</sup> Nicephorus, *Chronicon.*, a. 617.

from that time the Copts, as Monophysites, have lived under Mohammedan rule.<sup>1</sup>

For nearly fifty years more the African Churches remained under imperial Authority, but greatly weakened by doctrinal dissensions and by the gradual advance of Mohammedan raiders.<sup>2</sup> In A.D. 647, after a revolt by the Exarch against the Emperor, the "Roman" army in Africa was defeated; and the imperial garrisons in the cities were greatly weakened. The Moors of the interior took the opportunity, once again, of raiding the Roman territories on the coast. The Mohammedans used the new situation; and in A.D. 698 Carthage fell into their hands. Northern Africa thus ceased to belong to the Roman and Christian tradition. The city of Septem (Ceuta) held out for another ten years; but the advance of the Mohammedans at the beginning of the eighth century was secured by its surrender and their entry into Spain. The conquest of north Africa by the Mohammedans was not the result of continuous successful policy. Efforts were made by the Emperors at Constantinople to resist them by sending fleets from the East. Sometimes the Christians of the coast were able to oppose the invaders. Often the Mohammedans themselves were divided and fought one another under rival chiefs. The Moors of the interior were sometimes able to destroy both Christians and Mohammedans. The gradual disappearance, therefore, of Christianity from northern Africa was like the extinction of a dying fire. There was no force left to oppose the establishment of a new and barbarous tyranny of desert warriors in a "holy war."

During the century that followed the first Mohammedan invasions, two important effects of their conquest were felt in the new Europe of the West. First, great numbers of Christians were enslaved in northern Africa after the capture of the cities. According to Theophanes, eighty thousand of the poorer "Romans" in Africa were taken as slaves.<sup>3</sup> Some Christians did indeed become Mohammedans. But throughout the early Middle Ages there were thousands of Christian slaves serving Mohammedan masters in northern

<sup>1</sup> The Copts were so called, from the Greek word "Aiguptos," an Egyptian.

<sup>2</sup> A good summary of events is in L. R. Holme, *The Extinction of the Christian Churches in North Africa*, 1898.

<sup>3</sup> Theophanes, *Chron.*, ad an. 661.

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Africa; and the policy of the bishops of Rome, even in the thirteenth century, led to friendly communication with the Mohammedan rulers, with a view to the redemption of captive Christians.

A second, less enduring, effect of the Mohammedan conquest was a flow of refugees from northern Africa to Italy, Sicily, Germany and southern France. Clergy, monks, and the richer Christians of the cities, fled northwards from the invaders and brought to the people among whom they settled some of the traditions of the African Churches, in the same way as refugees from Spain, after the Mohammedan invasion there, brought the records of "Canon Law" into France. But the refugees were not all welcome, because Africa had been a fertile source of heresy. Thus Pope Gregory II, writing to Germany in the eighth century, warned the devout against the danger of the infiltration of heresy with the coming of the refugees from Africa.<sup>1</sup>

The first Mohammedan rulers of north Africa did not persecute Christians. They enslaved or taxed all non-Mohammedans; but the religion of Mohammed was believed by them to confer privileges, both in life and after death, which good Mohammedans were not eager to extend to their subjects by converting unbelievers. The Christians of north Africa, therefore, although reduced to slavery or subjection, still had their bishops and priests. But they were cut off from the rest of Christendom by the incessant wars and piratical raids of their masters. The Catholic Churches of Africa had always looked to the Roman Empire for support; and after surviving the Vandal persecution, they were reduced to insignificance under Mohammedan rule when the Empire finally lost control of the western Mediterranean.

### *Italy: the Empire and the Church*

The situation in Italy was not so completely transformed by the destruction of Gothic power. The death of Theodoric had been followed by some few years of quarrelling about leadership and

<sup>1</sup> Gregory II, Ep., 4. *Pat. Lat.*, 89, col. 502. *Afros passim ad ecclesiasticos ordines praetendentes nulla ratione suscipiat, quia aliqui eorum Manichaei, aliqui rebaptizati saepius sunt probati.*

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then by the military control of Totila, who was finally defeated by the forces of the Roman Empire in A.D. 536.

The Roman Emperor at Constantinople seemed to have established his authority again in Italy by the use of Greek-speaking and barbarian troops under Belisarius; and a new and more permanent situation seemed to have arisen when the Exarch, Narses, controlled sections of Italy, in the name of the Emperor, from his capital at Ravenna. For twelve years (A.D. 555-567) Narses attempted to repair the ravages of the war in Italy; and in A.D. 554 (August 13th) the "Pragmatic Sanction" of Justinian was issued, which attempted to establish a basis for Roman rule in Italy. This collection of decrees, "at the request of Vigilius, the venerable bishop of Old Rome," confirms laws made by Atalaric and other Gothic rulers, but not by Totila. It excludes civil cases from the military courts and puts them under civil judges who are to be chosen "by the bishops and chief persons of each region." The bishop and chief men (primates) of the district are to define conditions to be observed in the markets. The bishops are thus accepted as instruments of civil government by the imperial Authority.<sup>1</sup>

But although in name Roman, the imperial Authority in Italy was quite clearly alien. It was supported by an army of mercenaries, controlled by agents from Constantinople under the Exarchs at Ravenna. Even the Churches of Italy, which had looked to the Empire to save them from Arian rulers and barbarian soldiery, found little comfort in supporting a conquest which impoverished and enslaved them. But the Empire could not maintain its authority without the use of barbarian mercenaries; and when at last the Lombards were called into Italy to help, the final episode began in the gradual separation of the Churches of Italy, and above all the Church of Rome, from the Roman Empire. These new barbarians soon found that they could take for themselves the power which the Empire had hired them to protect.

Like other barbarians the Lombards were regarded at first as enemies both of the Catholic Church and of the Roman Empire whose officials had brought them to Italy to help in the conflict

<sup>1</sup> *Nov. Justinian.* clxiv, p. 354, vol. ii, in Teubner ed. (1881).

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with the Goths. But by the end of the sixth century most of the bishops of Italy were compelled to acquiesce in the rule of Lombard kings and dukes. In A.D. 581 Pope Pelagius II appealed to the Emperor for help against Lombard oppression; and he also began the long effort to use the Frankish kings for the defence of the Roman Church. In a letter from the Pope to Aunarius, bishop of Auxerre, he says: "We believe that, not by chance nor without great consideration, Divine Providence has ordained that your kings be like the Roman Empire in the confession of the orthodox faith. Assuredly this was brought to pass in order that they might be neighbours and helpers of this city of Rome where that confession arose, and of the whole of Italy. We have sent the sacred relics which you and our glorious son asked for—therefore we urge that you should hasten to free from heathen pollution the temples of those whose strength you seek; and that you should persuade your kings quickly to cut themselves off by correct policy from all friendship and alliance with our most unspeakable enemies, the Lombards."<sup>1</sup>

The Exarchs at Ravenna proved to be entirely unable to resist the growth of Lombard power; and when Gregory the Great was elected Pope in A.D. 590, the bishops of the Churches in Italy still regarded the Roman Emperor at Constantinople as their protector against the barbarians. Meantime, however, a new figure, a woman, entered upon the stage. Theudelinda, daughter of the duke of the Bavarians, was married to the king of the Lombards; and at his death she remained queen and chose as her husband Agilulf, duke of Turin.<sup>2</sup> The marriage took place in November, A.D. 590. Theudelinda was an ardent Catholic, and under her influence the Lombard kingdom adopted a policy of friendship towards the Roman Church, then ruled by Gregory. As a result, in A.D. 599 the Pope himself concluded a peace with the Lombards, because the Emperor and his representatives in Italy did nothing to help. The anger of

<sup>1</sup> Pelagius II, Ep. 2, *Pat. Lat.*, 72, trans. partly in Hodgkin, *Italy*, v, p. 239. The letter is dated October 5, A.D. 581, *imperante domno Tiberio Constantinopoli Augusto, Anno VII*. Thus the bishop of Rome still acknowledges the Empire as the real basis of civilized life. *Virtus* is here used as the power of saints.

<sup>2</sup> Paulus Diac., *H.L.*, iii, 35; iv, 1.

the Pope at the inactivity of the Emperor was expressed when the Emperor himself was murdered and Gregory congratulated the murderer, the new Emperor, Phocas, in A.D. 603; but he himself died in the following year. Queen Theudelinda died in A.D. 628: and a succession of murders and murderous raids is all that is recorded of the immediately following years in the history of Italy.

The Roman Emperor, however, continued to hold such parts of Italy as could be controlled from the sea; and the Emperor Constans II actually visited the city of Rome in the year A.D. 663. He is said by one chronicler to have intended to make Rome the capital of the Empire once again; but in fact he spent the time of his visit in stripping the city of bronze and of works of art. He left Rome for Sicily and seems to have marked his journey from land to land by exactions from the people whom he had come ostensibly to rescue from the barbarians. As Hodgkin says, when Constans II entered Rome, "three hundred and seven years had elapsed since the awestricken Constantius, the son of Constantine the Great, had gazed on the glories of yet unruined Rome, and nearly two centuries since any person calling himself Emperor had stood upon the Palatine Hill."<sup>1</sup> When Constans II departed, the history of the subjection of the Roman Church to the Roman Empire came to an end. For although Pope Constantine went to Constantinople in A.D. 710, at the command of the Emperor, the Pope entered that city, not as a humble suppliant or prisoner but with a train of attendants of whom the future Pope, Gregory II, was the most important. And he returned to Italy with all the privileges of the Church renewed. He it was who introduced as the head-dress of a Pope, the tiara—a non-ecclesiastical but courtly decoration worn in the East.<sup>2</sup> The head-dress of an Oriental monarchy thus became a symbol of the monarchy which the bishop of Rome was to establish. It distinguishes the medieval from the earlier Papacy, as the anoint-

<sup>1</sup> Hodgkin, *Italy*, vii, 6, p. 276, ed. 1895. The description of the visit of Constantius is in *Anm. Marcell.*, *Hist.*, xvi, 10.

<sup>2</sup> This tiara has no crown. The date at which the first crown or circlet was added is unknown. The second crown was added, with intention, by Boniface VIII. The third crown has not yet been satisfactorily explained. See below, p. 550.



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ing of kings distinguishes the "divine right" from the warrior's sword in civil authority. The Pope after this time paid little reverence to the Emperor.

The concentrations of civil and ecclesiastical power in Italy were many and hostile, one to another. Part of Italy was under Lombard rulers; coast towns were governed by agents of the Emperor at Constantinople; and the Pope held a precarious position between the different forces. Italy was already becoming what it was during most of the Middle Ages, only a "geographical expression."

### *Spain: Kings and Bishops*

In Spain the relation of bishops and kings proved to be important for the future of Europe. Between the defeat of Alaric, king of the Visigoths, in A.D. 507, and the first successful invasion by the Moslems in A.D. 711—for about two hundred years, therefore, a development can be traced in the efforts of the Churches to control and civilize the Germanic invaders of Spain and, on the other hand, in the struggle of Gothic kings and warriors to use the influence of the Church for their own ends. The play of forces in society was gradually bringing into opposition and co-operation the Church and the State, as they were for almost a thousand years afterwards in Europe.

The Visigothic kings of south-western Gaul and parts of Spain had been in difficulties (described in Chapter IV), because they were Arian heretics in the midst of a Catholic population. Sometimes they persecuted the Catholic clergy and sometimes tried to conciliate them. In the year before Alaric was defeated, he had apparently adopted a policy of conciliation, because he feared the friendship of the Catholic clergy in his dominions for the newly converted king of the Franks; and it is suggested that the issue of the *Breviarium*—a summary of Roman Law, for the use of his non-Gothic subjects, issued in A.D. 506—was intended to gain their friendship. But the king was defeated and slain by the Franks near Poitiers in A.D. 507; and the Visigothic Kingdom after that date was confined to Spain and, for a time, the country round Narbonne.

During these years there were two marriages of Catholic Frankish

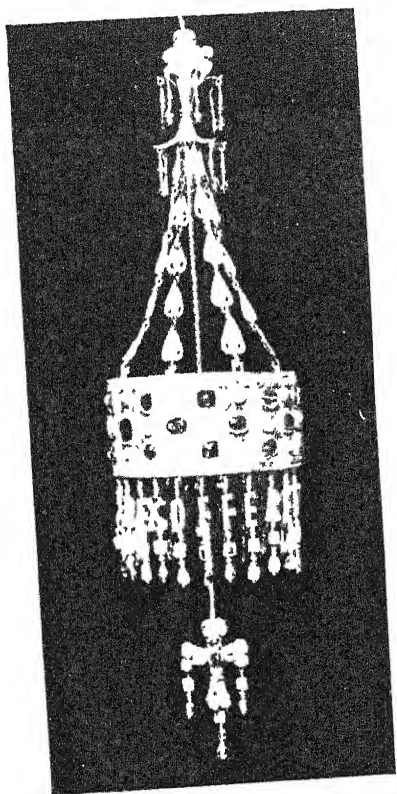


PLATE I CROWN OF VISIGOTHIC KING  
RECESWINTH (A.D. 683-672)  
(Musée d. Cluny, Paris) Related to p. 261



princesses to Arian kings of the Visigoths; but neither marriage resulted in the conversion of the kings, and the establishment of outposts of the Roman Empire under Justinian, centred round Carthagera, from the middle of the sixth century increased the pressure against Arian domination in Spain. A new political situation arose, however, after the conversion of Reccared, king of the Visigoths, to Catholicism in A.D. 587. At the third Council of Toledo in A.D. 589, at which sixty-two bishops, five metropolitans and some nobles were present, the king attempted to reconcile the Arian and Catholic clergy, but finally decided to adopt entirely the opinions and to support the organization of the Catholic bishops. A letter of Gregory the Great to king Reccared expresses his pleasure at the conversion of the king. "When I hear of this new miracle wrought in our own time, the conversion of the whole Gothic nation from the Arian heresy to the unity of the true faith, I gladly exclaim with the prophet, 'This is a change which the right hand of the Most High hath wrought.'" The Pope continues: "We have sent you a small key from the sacred body of St. Peter as a benediction from him. In this key is inserted some iron from his chains so that what bound his neck for martyrdom may deliver yours from all sins. I have also given to the bearer of this letter, as a present for you, a cross containing wood from Our Lord's cross and hairs of John the Baptist that you may always have the help of Our Saviour, through the intercession of his forerunner."<sup>1</sup>

In a later letter the Pope replies to a request that he should ask the Emperor for the copy of a treaty between Justinian and the reigning king of the Goths. The Pope says to Reccared: "You must look in your archives for documents which are unfavourable to you and not ask me to produce them."<sup>2</sup> Evidently the Pope, although a keen politician, was also a simple believer in the power of iron filings, wood and hair, somehow connected with celestial Powers. Pope Gregory often sent keys with iron filings to other friends, sometimes with the remark that they would be useful for physical health as well as salvation after death. The political, economic and social power of those who held such instruments of

<sup>1</sup> Ep., ix, 228.

<sup>2</sup> Ibid., ix, 229. See Dudden, *Gregory the Great*, i, p. 411.

security and happiness was dependent upon the general belief of most men at that time. And few doubted the efficacy of relics. They might give victory: they might protect from danger; they might, in the end, obtain entry to heaven for anyone lucky enough to possess them.

At the end of the sixth century Toledo became the capital of the Visigothic kingdom; and the frequent and very active Councils of Toledo mark the stages in the growth of ecclesiastical power. A struggle then began between the kings, generally supported by the bishops, and the more powerful landowners or warriors who are sometimes called "nobles." The policy of the bishops tended to support and exalt the king and also to unite the largest possible amount of territory under his rule. The "nobles," on the other hand, feared to lose wealth or power by submission to any superior authority and preferred to divide Spain in order that each part might be controlled by one of their number. The struggle is expressed in the canons of the fourth and fifth Councils of Toledo (A.D. 636 and A.D. 637). According to the canon 75 of the fourth Council, the king must be elected by bishops and nobles. Hereditary right, indeed, would destroy the power of the bishops and nobles over the kingship; and therefore the policy of both nobles and bishops favoured election.

The seventy-fifth canon follows a great number of rules dealing with ritual, the relations of clerics and women, the Jews and freedmen of the Church. The seventy-fifth canon, therefore, applies to a rather different subject matter—in fact, to politics. Its most important sentences run as follows: "Let no one among us presume to seize the kingdom. Let no one incite to civil war and no one plot the death of kings but, when a prince has died in peace, the chiefs of the whole race with the bishops must elect a successor in common council."<sup>1</sup>

This is part of a long exhortation phrased thus:—

After certain regulations of the ecclesiastical order or decrees which affect the discipline of some, all of us bishops have finally decided to

<sup>1</sup> Mansi, x, col. 611.

issue this final episcopal decree under God as Judge for the maintenance of our kings and the stability of the Gothic race. Such is the treachery of the souls of some people (as it is reported) that they disregard the fidelity promised under oath to their kings and pretend to swear with their mouths an oath, while in their minds they retain their impious treachery. Thus they swear to their kings and are false to the fealty which they promise, and do not fear that book of God's judgement in which the condemnation and punishment is written of those who swear falsely in the name of God (Jer. vii and xvii). What hope then can such people have when they struggle against their enemies? What trust can other peoples have in them in peace? What treaty would not be violated? What sworn agreement with enemies will stand, if they do not keep their sworn word to their own kings? Who then is so mad as to cut off his own head with his own hand? This is clear, that they forget the danger to their own salvation in killing themselves by their own hand, turning their own strength against themselves and their kings even though the Lord says "touch not my Anointed" (Christos) (Psalm 104), and David says—"Who will put out his hand against the Anointed (Christum) of the Lord and be innocent" (1 Kings 26).

These do not fear perjury nor the death of their kings. Trust in a treaty is given to enemies, not to be violated. But if in war trust holds, how much more should it hold among one's own people. It is sacrilege if the fealty promised by peoples to their own kings is violated, because not only does the breaking of the treaty affect these kings, but also God in whose name the promise is made. Hence it is that many of the kingdoms of the earth have been destroyed by the anger of heaven—that by the loss of faith and morals one might make amends for the other. Hence also we, too, should beware of the downfall of such peoples lest we may be struck by the same evil and punished cruelly. So also, God spared not the angels who revolted against Him, who lost by disobedience their heavenly home, as it is said in Isaiah, "my sword is drunken in heaven" (Isaiah xxxiv. 5), how much more should we fear the loss of our own salvation lest through our treachery we perish by the same sword of an angry God. But if we wish to avoid Divine anger and desire to change His severity to clemency we must preserve towards God the practice of religion with fear. We must guard the faith promised to our princes and let there not be, among us, as in certain peoples, an impious and subtle treachery, nor the perfidy of the mind, nor the sin of perjury, nor the accursed devising of plots. Let no one among us presume to seize the kingdom, no one incite to civil war, no one plot the death of kings, but when a prince has died in peace let the nobles of the whole nation, let the bishops elect a successor in a common council,

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so that while unity is preserved by us no quarrel in our Fatherland should arise by force or policy. But if this admonition does not correct our minds and lead our heart to the common safety, hear our decision. Whoever among us or the people of all Spain, by any plot shall weaken the oath of his fealty which he had given for the maintenance of his Fatherland and the Gothic race, or the safety of his king, or if anyone attempt to slay the king or destroy the power of his kingdom or usurp tyrannically the throne, let him be anathema in the eye of God the Father and His angels, and let him be expelled from the Catholic Church which he has profaned by perjury and separated from the Christian people with all the associates of his impiety; because the same punishment should fall on those who have committed the same sin.<sup>1</sup>

The seventh canon of the fifth Council of Toledo provides that this "decretum" shall be read at all Synods.

The numerous Councils of Toledo were dominated by the bishops; and through these Councils the bishops attempted both to civilize the barbarian warriors and to unite the country under one form of law and administration. In A.D. 642, however, one of the nobles became king and immediately killed or enslaved about seven hundred of his opponents. Others had apparently fled abroad and there was a danger that the Visigothic kingdom might be ruined by assistance given to such fugitives by foreign Governments. The Emperor at Constantinople still held some parts of the Spanish coast; and the Latin-speaking population as well as the Catholic clergy still looked to the Emperor as the source of moral authority in government. It is possible also that the Jews were regarded in Spain as aliens whose sympathies lay in the East; for the violent persecution of Jews in Spain began in A.D. 612 and was confirmed, although somewhat moderated, by the fourth Council of Toledo in A.D. 636. In any case, the seventh Council of Toledo, ten years later, decreed penalties against those who engage in plots outside the country; and urged non-intervention upon the rulers of neighbouring States. A further consolidation of the kingdom was marked by the abolition of Roman Law and the issue of one Book

<sup>1</sup> Mansi, x, col. 637, canon 75. The last of the Canons of the Council. It should be noted that the word for "anointed" in the text is "Christus"—"Nolite tangere Christos meos." Also "fides" meaning "fealty" or "trustworthiness" has no real equivalent in English.

of Law (*Liber Judiciorum* or *Forum Judicum*) for all the inhabitants of the king's territory.

This book was probably completed in its earliest form in A.D. 654. It is not only a collection of laws uniting the old Gothic and Roman laws in one system under the domination of Roman ideas; but it also contains statements of political theory and general social principles which are evidently due to the influence of the bishops. Thus, by the middle of the seventh century in Spain a single system of government dominated by the Roman tradition but under a Gothic kingship was established; and this was evidently due to the efforts of the bishops to establish and maintain order and justice.

A further step towards the establishment of a single civil and ecclesiastical system is marked by the introduction of the anointing of kings by bishops as a means of giving them moral authority. The use of anointment in the ceremony of coronation, as it will be shown later, was evidently due to the influence of the Old Testament, for the ceremony was perhaps used at about the same date in England and was certainly used at a later date in the case of Pippin, the king of the Franks.<sup>1</sup> In Spain, in A.D. 672, a new king, Wamba, already aged and unwilling, was elected by the bishops and nobles; and he appears to have been crowned and anointed on September 25, A.D. 672, in the Church of St. Peter and St. Paul at Toledo, by the bishop Quiricus. In A.D. 680 Wamba fell ill—according to one story, from poison administered in the interests of one of his nobles, named Erwig. Wamba recovered but resigned the kingship in favour of Erwig, who was elected and afterwards crowned and anointed at Toledo, by the new bishop, Julian. The twelfth Council of Toledo, held in January A.D. 681, confirmed the rights of king Erwig. The coronation and particularly the anointment of a king, with no hereditary right, who had been only one of many rival nobles, gave to kingship a divine or at least an ecclesiastical authority which successful usurpation could hardly supply. The consequences for both kings and bishops were important. Anointment was an ecclesiastical ceremony traditionally

<sup>1</sup> Crowns of a Visigothic royal family were found in the nineteenth century buried in Spain, and were preserved in the Musée de Cluny in Paris. (See Plate 4.)



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used for the consecration of bishops. A king who became, therefore, by the action of bishops, "the Lord's anointed," might easily claim an ecclesiastical authority dangerous to the Church. On the other hand, the elevation of a king above the level of a merely elected leader evidently gave to the bishops a power and influence over the future of the kingdom which was far superior to that of any body of nobles.

The twelfth Council of Toledo also declared that the king's family is sacred; but plots against the king continued; and in some of these plots the bishops were involved as well as the nobles. The attempt to make the kingship dependent upon election and at the same time absolute by ecclesiastical anointment might have succeeded in establishing some new form of authority, combining the civil power with the ecclesiastical, in Spain. But the whole situation was radically altered by unforeseen external forces. In the year A.D. 711 Mohammedan warriors (Arabs and Berbers) crossed from Africa into Spain; and in the next half-century the Gothic and Roman traditions of Spain were entirely submerged under Mohammedan control. Spain, therefore, had nothing more to contribute to the development of methods of government in the First Europe; because the most highly civilized sections of its population, during most of the Middle Ages, looked to the East and not to the West.

### *Collapse of Mediterranean Civilization*

In the three Mediterranean countries, therefore—Italy, Spain and Africa—the old Roman world of the Church as well as the State had come to an end in the eighth century. The civilization and at a later date the Christianity of the Roman Empire had depended upon the Mediterranean. The trade-routes across that sea had provided not only supplies but also ideas and emotions which could be shared by the whole Roman world. But by the middle of the eighth century Africa, Spain and Italy had been finally divided from both the old Rome and the new Rome—Constantinople. Two forces destroyed the old unity. The first was the disastrous policy of Justinian in his efforts to reconquer the West. The second, two centuries later, was the victorious advance of Mohammedanism.

Justinian's policy caused a greater disunion between the Christian peoples of the West and the East, whom his mercenaries were supposed to rescue from barbarian tyranny and to unite in the Roman Empire. And the disunion of the Christian peoples eventually made it possible for Mohammedan fleets and armies to cut off Latin Christianity from that of the Greeks.

Another effect of the new situation in the eighth century was the isolation of Rome. The city which had been for centuries, in theory if not in practice, the centre of the Roman world, became an outpost of an older world looking towards the new world of north-western Europe and the Middle Ages. And, on the other hand, Rome became no longer a centre of episcopal authority within the Empire but only a point of contact between the Latin Churches and the older Churches of Asia Minor and Constantinople. The bishop of Rome during the early years of the seventh century was in an ambiguous position. He was still, in theory, a subject of the Emperor at Constantinople. But, on the other hand, he negotiated with the new kingdoms of France and England as an independent Authority and certainly not as the Emperor's agent. In the eighth century the bishop of Rome must have seemed an Eastern to the peoples of the West and a Western to the peoples of the East. This, indeed, is one of the reasons why the Popes at the end of the eighth century, as it will be shown in a later chapter, were induced finally to turn to the West—not to Spain or Africa, but to France, England and Germany.

Again, the efforts of the bishops in Africa, Spain and Italy, failed to establish a new tradition of moral authority and political power, because first Justinian and afterwards the Mohammedans destroyed the Germanic kingdoms of those countries. The Catholic Churches in Africa and Spain collapsed when the civil Authorities, to which they were attached, were displaced. And even in Italy the Roman Church maintained with difficulty an independent existence when Lombard kings and dukes divided the peninsula and when first Byzantine, and afterwards Mohammedan, rulers established themselves in the coastal cities and in Sicily.

The ideas, however, which survived from the experience of

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disaster in the Mediterranean, cannot be understood without reference to the new conceptions of civil and ecclesiastical authority which were at the same time being developed in France, Germany, Ireland and England. The medieval system of Church and State owed as much to the experiences of the new kingdoms in the North as it did to the traditions which survived from the ruins of Mediterranean civilization.

### *General Conclusions*

In the study of the social institutions of the First Europe two important results of the failure of Justinian's policy and the advance of Mohammedanism may be noticed. The bishops of the countries bordering on the western Mediterranean learned by bitter experience to separate the fortunes of the Church from those of the Roman Empire; and secondly, the First Europe of the Latin Churches and the new barbarian kingdoms were forced into closer unity by the danger from the great enemy of medieval Christendom—the religion of Mohammed.

It has been shown above that the Catholics in northern Africa welcomed the armies of Justinian; and for about a century the bishops of Africa looked to Constantinople for support. But the Mohammedan invasions and the control of the western Mediterranean by Mohammedan fleets, cut off the western Churches of Africa from all civil and military assistance. Many of the laity and the clergy fled from Africa; and, although the Mohammedan rulers did not persecute, they enslaved Christians. The Christian bishops appear to have continued to exercise some of their functions for many centuries under Mohammedan rule. But clearly Christianity, reduced once more to a religion of scattered and helpless slaves and poor men, was unable to contribute anything comparable to the great work of the earlier African bishops, Cyprian and Augustine. And when the Turks, in the sixteenth century, conquered the earlier Mohammedan rulers, a violent persecution of Christians seems to have almost completely destroyed the remnants of Christianity in northern Africa. In this case the Church did not survive the Roman Empire.

In Spain the bishops learned to act independently of the Roman Empire because, first, the Empire itself had deserted its Catholic subjects, when it had submitted to the Visigothic settlement in south-western Gaul, and secondly, the Visigothic kings had always been willing to use Roman officials in their administration. The reconquest of part of the Mediterranean coast of Spain under Justinian seems to have made very little difference to the policy of the Spanish bishops. Since the Visigothic kings had become Catholic the bishops supported them and not the Roman Empire. The Councils of Toledo had indeed almost secured supreme authority for the bishops within the Visigothic kingdom. The Church, it seemed, could not only stand alone, but could actually support the State, when almost suddenly the rule of the Visigoths in Spain was destroyed by the Mohammedan invasion, and Christians reduced to subjection. But what the bishops had learnt in Spain had a great influence upon the development of the relations of the Church and State in later years in France, Germany and England.

In Italy the situation was more complicated. The bishops there were traditionally bound to the Roman Empire; and the bishop of Rome himself could hardly be indifferent to the policy of the Roman Emperor. Therefore, although Justinian's conquest of Italy very nearly destroyed all sympathy between the Latin Churches of Italy and the "Greeks" who called themselves the Roman army and Roman administrators, the Church of the city of Rome still regarded the Emperor at Constantinople as its only possible civil and military authority. When the Lombards came into Italy, the Latin Churches of Italy still looked to the Emperor for assistance and support; and even when the Lombard kings became Catholic, the bishops of Rome aimed at escaping from Lombard rule by retaining their connection with Constantinople. It was exceedingly difficult for the bishops of Italy to learn that the Catholic Church could exist independently of the support of the Roman Emperor. And even when, at last, in despair, the bishop of Rome in the eighth century turned to the king of the Franks for help, the Roman Church was unable to free itself from an obsolete assumption. The

Roman clergy could not bring themselves to believe that the Roman Empire had disappeared for ever in western Europe. They therefore produced a world of the imagination in the "Donation of Constantine," and a ghost from the graveyard of their hopes, the so-called "holy Roman Empire."

The Mohammedan conquests in northern Africa, Spain and the islands of the western Mediterranean, put the Latin Churches and the new kingdoms of north-western Europe on the defensive. Bishops and kings were compelled to unite, as far as local jealousies would permit, against a single great enemy. At the beginning of the eighth century, the conflict between Latin Christendom and the Mohammedans was hardly more than a series of frontier raids. But by the middle of the eighth century, as the letters of St. Boniface show, the fear of the "Saracens" had spread throughout north-western Europe. Christianity had hitherto had to contend with what is now called "Paganism," that is to say, the many different rites and beliefs of the pre-Christian world. It had succeeded in that struggle, partly at least because it was a single religion for all places and all peoples under the sky. Its unity and universality gave it strength against both local cults and esoteric mystery religions. But in the eighth century, for the first time, Christianity was faced by a rival religion of the same order as itself, which was derived in part from the same sources. Mohammedanism represented, as it were, the Judaic elements in Christianity, untouched by Hellenic influences. The God of Mohammed was the God of the Jews, aloof from the forms of man and animal; but the God of the Christians was the man Christ, whose manhood shared divinity as the heroes of the Greeks and Romans had done.

The God of the Mohammedans was a God of war, as the God of the Hebrews had been; and it was perhaps under the influence of the great rival creed that medieval Christendom was gradually persuaded to regard even Jesus as a God of war. It would be impolite, according to some historians, to say that as far back as the fourth century, the Emperors Constantine and Theodosius regarded the influence of Christ chiefly as an asset in securing victory. The use of the cross, in the legend of Constantine's vision—"In this

sign shalt thou conquer"—evidently makes the cross a standard of armed forces. And the mosaic of the soldiers of Justinian, in St. Vitale at Ravenna, shows the monogram of Christ upon a shield. But whatever the connection between Christ and the military despotism of the Christian Empire, clearly the barbarian kings of the eighth and ninth centuries thought of war as a means of promoting religion, exactly as the Mohammedans did. Thus the rivalry between Latin Christendom and the Mohammedans who held the Holy Places, northern Africa and Spain, in the eighth century, was the source of that fantastic movement to promote the military unity of Christendom—the Crusades.

Christianity, therefore, in the First Europe became a military religion, largely because of the influence of Mohammedanism. Even in the fourth century the bishops had indeed accepted the necessity for the use of armed force by the civil Authorities in the defence against barbarism. But there had been no conception of a "holy war" for the extension of Christianity. In the eighth century, however, the "religious" war of Mohammedanism was countered by a religious war for Christianity. Probably the primitive Germanic warriors under Charles Martel and Charles the Great were devoted to war in any case as a manly exercise and were only too willing to accept an additional and, as it seemed, more exalted reason for slaughter, when the clergy suggested that war could be waged for the sake of Christianity. The first literary expression of this idea is in the *Chanson de Roland*. But it developed into monstrous proportions in the preaching of the Crusades, and in the two famous works of the early twelfth century, the *Gesta Francorum* and the *Gesta Dei per Francos* of Guibert of Nogent (d. 1124). In these the reconquest of the Holy Land from the Mohammedans had become a common purpose of united Latin Christendom; and if any proof were needed of the change which medievalism had wrought in Christianity, it may be found in the opening words of the *Gesta Francorum*, where the words of Jesus, "Let him take up his cross and follow me," are absurdly applied to the cross of the crusader and the expedition to Jerusalem. The Mohammedan conquests, therefore, of the seventh and eighth centuries

were the direct causes of the military Christianity of the Middle Ages and of the transient attempts to unite Christendom in arms.

From the same source came the first form of a distinction between the East and the West, which has confused and confounded historians and politicians in succeeding generations. In making this distinction, "the West" is usually conceived to be north-western European civilization, and the "East" a combination of Mohammedanism and Greek Christianity. When the Mohammedans first invaded the Roman Empire, the Greek-speaking peoples of the eastern Mediterranean had been already separated from the Latin-speaking western Churches since the days of Justinian, that is to say, for about a century. The division between the two parts of the Mediterranean world was rendered more complete by the extension of the Latin Churches into Britain and Germany. The mutual attraction of the Roman See and new missionary countries of the North drew the whole Latin-speaking world away from the eastern Mediterranean. The plague and the wars against the Persians exhausted the powers of Roman Emperors at Constantinople. And when the Mohammedans assaulted the Empire in Syria and northern Africa, the division between eastern and western Christianity in sentiment, in customs and in relations with the State, was already complete.<sup>1</sup> The strangest effect upon the First Europe of the two quite distinct events, (a) the separation of the Greek-speaking and Latin-speaking Churches, and (b) the Mohammedan invasions, was that medieval Christendom treated as the "East" both the Roman Empire at Constantinople and the Mohammedan States. Thus, in the *Gesta Dei per Francos* the author points out that most heresies arose among "the Greeks";<sup>2</sup> and the hostility of the crusaders to the Emperor Alexius Comnenus was hardly less violent than their

<sup>1</sup> This is opposed to the view of Henri Pirenne in his *Mahomet et Charlemagne* (Eng. trans. 1939), where it is argued that Mohammedanism was the cause of the separation between East and West. But Pirenne's arguments do not allow sufficient weight to the evidence for the situation in Justinian's day.

<sup>2</sup> In the *Gesta Dei per Francos*, Guibert gives a supposed letter of the Emperor in which an inducement to a holy war is given as "the enjoyment of the most beautiful women"—which, as the good abbot remarks, implies that Greek women were prettier than "Gallic." This the abbot regards as an insult.

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hostility to the Saracens. The climate of opinion in the early Middle Ages in Europe was so befogged with misunderstandings and illusions that later ages inherited entirely false conceptions of the nature of the opposition between Christendom and "the East."



## CHAPTER VII

### KINGS' BISHOPS

New barbarian kingdoms arose in the North, while the countries bordering upon the western Mediterranean were first re-united to the Roman Empire and the Catholic Church, and afterwards lost to both. In northern Gaul, in Ireland, in Britain, and later in Germany east of the Rhine, the roots of the First Europe struck deeper and spread wider than in the South. The new barbarian kingdoms had never been Arian. They passed directly from a primitive tribal paganism to Christianity which was Catholic and Roman. They had never been conquered or civilized by the Roman Empire. Rome, therefore, meant for their kings and peoples the Rome of St. Peter, not of Augustus; and the Roman tradition was represented in their eyes, not by generals and their legions, but by bishops and their clergy.

Among these barbarians, kings possessed a traditional authority; and when they became Christian, bishops supported their kings, and were in some cases chaplains to their queens. As on the chess-board, the move of the bishops was diagonal, because they had to compromise with the heroic ideals and simple desires of barbarism. To have opposed all the tribal traditions in the new barbarian kingdoms would have made it impossible to convert them to Christianity or to civilize them; but as advisers of the kings the bishops might hope to control them.

The relations between kings and bishops in north-western Europe differed from those in the Mediterranean area, partly, indeed, because of the disturbed situation in the South, but most obviously because entirely new concentrations of social power and authority, independent of the fortunes of the Roman Empire, were established

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in Gaul, Britain, Ireland and Germany. Church and State north of the Alps, after the fifth century, formed new relationships; and these new relationships, rather than the traditions of the South, were the origins of such typical medieval movements as Feudalism and the Crusades. Military Christianity was northern. So was Gothic architecture. Paris and London in the Middle Ages became the capitals of nations; while Rome, Venice, Genoa and Florence remained city-states of the old tradition. The sources, therefore, of the difference between northern European civilization and the Mediterranean system are important; and these sources can be traced most easily in the history of the sixth, seventh and eighth centuries.

The most important common characteristics of the communities north of the Alps were, first, that they were settlements of non-Christian tribes with local and traditional deities and kings, independent at first of all Roman influence. This is clearly true of the Anglo-Saxons in England, of the Irish and of the Germanic tribes outside the Roman Empire, all of whom were eventually converted to Christianity. But it is true also, though less obviously, of the Franks who had been in contact with the Roman Empire for many generations before they became Christians and conquered Gaul. The social and political situation, therefore, in the northern kingdoms was from the beginning quite different from that in the earlier barbarian kingdoms of the Goths, Burgundians and Vandals. Secondly, the Church, when it came into contact with the barbarians of the North, had already developed a strongly organized monasticism. This monasticism was strongest outside cities or towns or other settlements; but the Churches in the Mediterranean area were all at first dominated by clergy, not by monks. The Church in the Mediterranean area was essentially a city organization. Bishops were bishops of cities; and this had been so, long before monasticism had been organized. Indeed, the bishops of Rome when arranging for new bishoprics in the North, seem to have assumed that bishops in the newly converted countries would have their Sees in cities. But in the North, after the barbarian invasions, the cities in Britain were almost deserted, and there

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never had been any cities in Ireland or the non-Roman parts of Germany. Consequently monastic settlements which had no connection with city-life were centres as important for the spread of Christianity as bishoprics.

In the third place, most of the Christianity in the northern kingdoms was the result of the missionary activity of monks, as, for example, among the English and the Germans. In such cases the Church did not rely upon a basis of Roman civilization on which to build, as in southern Gaul. The Church itself, through her missionaries, had to introduce whatever elements of civilization were essential to the organization of Christianity. The Church had already also adopted the Latin language as its official medium for regulations, correspondence and rituals. Therefore the language of the Church in England and Germany during the Middle Ages remained alien to the local "climate of opinion" to a greater extent than it was in countries whose "vulgar tongue" was derived from a variety of Latin; and the Latin language carried with it all the implications of thought and emotion in the Roman tradition. But these were all strange to the barbarians converted during the sixth, seventh and eighth centuries. For them the Church was an alien institution representing a higher culture and wider interests; and not, as it had been in its earlier years in the Mediterranean area, an institution of the lower classes. Among the English, the Franks and the Germans east of the Rhine, Christianity was introduced as a religion of the kings and nobles. They were approached first by the missionaries; and their followers usually followed their lead. The tribesmen did not become Christian by a process of moral or intellectual decision concerning a new way of life, but mainly because of loyalty to a leader.

Apart from the common characteristics of the position of kings and bishops in north-western Europe, it is worth while to note a difference between the situation in Gaul and Britain or, as they should now be called, France and England. These two countries included, in later years, the chief centres of medieval thought and policy; but their traditions of ecclesiastical and civil authority differed greatly, even from the time when the Franks and the

Anglo-Saxons were first converted to Christianity. In France, even in the North but particularly in the South, the Church was firmly established and organized before the Frankish kings and warriors conquered the country. The organization and language of society in the whole of France was already Roman. Roman cities with their bishops, Roman villas and the Roman organization of agriculture and commerce, were like a fixed structure into which the newly-converted Franks had to insert their authority. These Franks were comparatively small bands of ignorant warriors with the very simplest outlook on life and the world and with primitive legal customs, later written down in Latin in the Salic and Ripuarian lands. The language of the Frankish kingdom, therefore, as well as its general structure gradually became a modified form of the Roman. French is not Frankish but Latin.

On the other hand, in England the Anglo-Saxons had established settlements and kingdoms for at least a century before they were converted to Christianity by missionaries from Ireland and Italy. The language, law and social customs of the English kingdoms formed, therefore, a structure into which the Church had to come from the outside. The bishops and other missionaries did, indeed, bring to the Anglo-Saxons immensely important elements of a higher civilization; but these had to be grafted upon a stock already firmly planted in a soil from which almost all Roman traditions had been uprooted. In England, therefore, the popular language remained different from the Latin of the Church; and although councils of bishops and canons of the Church had a great influence upon the development of civil government, this influence was always more external to the native tradition than it was in France.

These likenesses and differences will be observed more clearly in the history of the northern kingdoms, taken separately.

### *The Barbarians after the Fifth Century*

As for the contribution made by the new barbarians to the future development of Europe, it seems necessary still to reject the mythology of the "noble savage." Some historians appear still to believe that vigour, or loyalty or purity of blood or manners,

contrasted with a supposed decadence of the Roman tradition, were brought into European civilization by Franks, Saxons and other Germanic tribes. This is an illusion. Nothing of great value to civilized life was added to the Roman tradition by the barbarians. Their coming made life in Gaul and Britain and Italy more like the life of savages, "nasty, brutish and short." They brought from the forests and marshes of Germany nothing but simple minds and simple tastes. Their habits did include some very limited loyalty to a leader in war, as long as he was successful, and confidence in the supposed hereditary qualities of certain families, tempered by assassination of inconvenient members of them. Thus the entry of Franks, Lombards and Saxons into the European tradition of civilization involved a step backwards for the whole of the society in which they found themselves. The "decadence" of the old civilization, which was collapsing before they came, was perhaps due to social disintegration, as described in an earlier chapter. But the earlier believers in the "noble savage" treated as "decadence" a certain tendency to think, to wash and to taste food or choose suitable clothing. The new barbarians could not think; they did not wash; and they preferred to swallow large quantities of food and drink rather than to taste them. In fact not until the newcomers learned from the Roman tradition did they add anything to it. Their first entry took civilized life almost back to its beginnings.

That the step backwards did not, in fact, end in the desert of barbarism, as it had in earlier ages when Babylonian or Egyptian civilizations disappeared, was due entirely to the Christian Churches; and the Churches were able to introduce civilization among the barbarians because their bishops had learnt it from the Roman Empire. If the organization of the Churches had not survived the entry into the old Roman world of Saxons, Franks and Lombards, western Europe in the seventh century would have lost all traces of civilized life; and if the Churches of the sixth and seventh centuries had been as careless of the problems of government and production as the earlier Christians had been, they would not have been able to preserve law, justice or the applied arts. The barbarians who came into prominence during the second stage of Germanic

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rule in the West, had indeed their own simple social customs, for example, of marriage and property, and their own methods of administering justice. But their customs and laws were not written down and perhaps not anywhere clearly conceived before they came into contact with the Christian bishops. And even when Frankish, Anglo-Saxon and Lombardic laws were put into writing, they expressed only the very simple needs of a quarrelsome agricultural population. It must be remembered that the more normal manners and customs of the Germanic tribes in their forests as described, for example, by Tacitus, could not have survived among the bands of warriors and their camp-followers when they found themselves in the quite abnormal situation of nomadic raiders, looting the more civilized populations of Gaul, Britain and Italy.

It is not denied that the conquerors of the western world had a simple culture, art and social organization when they lived in communities of their own east of the Rhine and north of the Danube. Tribal organization, tribal custom, and the simpler forms of ornament were not derived by the Germanic invaders from the Romanized populations they destroyed or subdued. Probably, also, the Germanic tribes had a tradition of kingship distinct from that of the Mediterranean peoples. Their kings appear to have been supported by small groups of warriors, and perhaps also of priests acting as councillors and representatives of their tradition. But when the tribes, organized in settlements with their women and children, were disturbed by the exodus of their warriors and war-leaders into the civilized countries of the West, the better parts of the simpler tradition obviously became less effectual. Where the invaders, as in England, could entirely displace or bring into subjection the earlier inhabitants, the Germanic tribes may have preserved more easily their own systems of social organization and custom. But where the invaders were never more than a small proportion of the older population, as in Gaul and Italy, their customs and traditions could survive only with the assistance of such intelligence and education as they could find among their new subjects. Language indicates the contrast between the two situations.

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The earliest written English laws are in English; but the earliest laws of the Franks and the Lombards are in Latin.

The precise character, however, of the contribution made to the future civilization of Europe by the Saxons and the Franks need not be discussed in detail here. It can hardly be doubted that whatever contribution they did make, was of far less importance than that made by the Mediterranean tradition preserved in the Christian Church.

### *Gaul becomes France*

In Gaul the situation was completely transformed by the baptism in A.D. 496 of Clovis, king of the Franks, into the Catholic Church. With Clovis "were baptized more than three thousand of his army"; although, according to Gregory of Tours, the king had been doubtful at first whether the people would support him in giving up paganism.<sup>1</sup> The king had married in A.D. 493 a Catholic, Clotilda, niece of the king of Burgundy. And doubtless her influence had been exerted on the side of the Catholic bishops. But Clovis was evidently not blind to the political advantage of a crusade against the Arian Goths. His acceptance of Catholic Christianity, as Dalton says, "placed at his disposal the whole body of the Gallo-Roman bishops, almost all of whom were drawn from distinguished provincial families. . . . No more valuable allies could have gathered to the Frankish standard. They brought, not only the strength of their virtues and accomplishments, but the influence which they were able to exert among the Gallo-Roman Catholics in Visigothic Aquitaine, who were both numerous and disaffected."<sup>2</sup> According to Gregory of Tours, when Alaric, king of the Goths, saw how king Clovis was steadily overcoming his neighbours in war, he sent envoys to him asking for a conference. At a conference on an island in the Loire near Amboise, the two kings swore mutual friendship and parted in peace. And Gregory continues: "Many people in Gaul at the time ardently desired to live under the dominion of the Franks. This was the reason why Quintianus,

<sup>1</sup> Greg. Tur., *H.F.*, ii (31). Gregory calls Clovis "a new Constantine," and St. Remy "a Silvester."

<sup>2</sup> Dalton, O. M., *History of the Franks*, introd., vol. i.

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bishop of Rodez, incurred hatred and was driven from the city. Men said to him: 'It is because thou desireth the Franks to become masters and possess the land.'<sup>1</sup> . . . Now king Clovis said to his men: 'It irketh me sore that these Arians hold a part of Gaul. Let us go forth then, and with God's aid bring the land under our own sway'. He then marched on Poitiers and defeated and killed Alaric ten miles outside the town; and "from this battle Amalaric, son of Alaric, fled into Spain and ruled with prudence his father's kingdom." Clovis, returning to Tours, received letters from the Emperor Anastasius, conferring the Consulate; and "in the church of the blessed Martin he was vested in the purple tunic and in a mantle and set the diadem upon his head. . . . From that day he was hailed as Consul or Augustus," and established the seat of his government at Paris.<sup>2</sup> Gregory is quite vague about the status of the king in the eyes of the rest of the world; but he is quite clear about the new capital. A new kingdom had been founded. The faint light from old Roman times might shine for a moment on the Frankish king; but he held his position by no treaty or grant of any Roman Emperor.

The extension of Frankish power throughout south-western and southern Gaul need not be described here. The invasion of Italy by Belisarius in A.D. 536 left the Ostrogothic control of southern Gaul so weakened that the Franks were able, for the first time, to establish a kingdom whose area covered what is now called France. With this supremacy of the Frankish king went the heightened prestige of the bishops of the Catholic Church in Gaul; but it also involved a much greater dependence of the bishops upon the king to whom they had given assistance. The bishops were still elected by the clergy and the people; but a new principle was introduced. The election of a candidate had to be announced to the king in a

<sup>1</sup> Greg. Tur., *H.F.*, ii, 36 (*Pat. Lat.*, 71). This bishop was from Africa. He was a nephew of one of the bishops exiled under the Vandal persecution. See Greg. Tur., *Vitae Patrum*, c. iv.

<sup>2</sup> *Ibid.*, ii, 38. *Pat. Lat.*, 71, col. 236. Dalton believes that Gregory is wrong about the title of "Augustus," which was adopted only at a later date by Frankish kings; but Gregory means nothing very definite by the title. Even Theodorich the Ostrogoth is called "Augustus" on an inscription erected in his reign.



document called a *consensus*, and he then granted a diploma (*praeceptio*), which was necessary before the new bishop could hold his See. The king of the Franks, in the middle of the sixth century, had the control of all appointments to bishoprics and frequently appointed laymen, not without receiving a high price from them for the honour and the power thus secured.<sup>1</sup> The result, under barbarian kings, was such as might well be expected. In some cases the bishops were good men struggling against the surrounding violence, rapacity and treachery of powerful kings and warriors. In other cases the bishops were men whose chief aim was the satisfaction of their own greed or lust.

As examples of good bishops we have, first, Avitus, bishop of Clermont or Auvergne (Averni), who died in A.D. 594. "After he had received the bishopric, he revealed the greatness of his character in all things; to the people he gave justice, to the poor succour, to the widow consolation, to the orphan the utmost help in his power. And to this day when a stranger comes to him, he receives so warm a welcome that he finds in him at once a father and a fatherland. May he prosper in the possession of his great virtues, keeping with his whole heart those things which are well pleasing in the sight of God; let him uproot wantonness in all hearts, and implant in them the chastity ordained of God."<sup>2</sup> And again, Nicetius, bishop of Lyons, "was a man excellent and holy in all his ways, and chaste in his life. The charity which the apostle bade men use towards all to the utmost of their power, he exercised in all things as far as in him lay; men saw that the Lord Himself, who is the true love, was manifest in his heart. For even if he were moved to anger against anyone for his negligence, the moment he amended his way he received him back to favour as if he had never taken offence. He chastised the transgressor but forgave the penitent; he was generous in almsgiving and strenuous in toil; he diligently gave his mind to the erection of churches, the building of houses, the sowing of fields, and the planting of vineyards; but these things did not distract him from prayer. After twenty-two years in the bishopric he passed to the Lord; to-day great miracles are wrought

<sup>1</sup> See Dalton, *op. cit.*, vol. i, p. 288.

<sup>2</sup> Greg. Tur., *H.F.*, iv, 35.

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at his tomb for those who implore his aid. For by means of oil from the lamp which is daily lit at his tomb he has restored light to the eyes of the blind; he drives out evil spirits from the bodies of the possessed; he restores health to paralysed limbs; and in these present times is held a great protector by all the infirm."<sup>1</sup> Here, therefore, is sanctity turned into a magic power, by a development familiar throughout the Middle Ages.

There were many cases also of bishops who contrived to secure power and wealth for themselves and a life of unbridled desires. Gregory of Tours gives some examples of this type of bishop. He writes of two brothers, "both bishops, who armed themselves, not with the heavenly cross, but with the helm and mail-shirt of the world, and are said to have slain many of the foe with their own hands" in a battle near Embrun.<sup>2</sup> The same two bishops, Salonius, bishop of Embrun, and Sagittarius, bishop of Gap, as Gregory says, "were carried away by the joy of doing as they pleased and began abandoning themselves to a very fury of mad wickedness, robbing, wounding, slaying, committing adulteries and all manner of crimes to such a point that one day when Victor, bishop of St. Paul-Trois-Chateau, was celebrating his anniversary, they fell upon him with a troop armed with swords and arrows. They came and rent his garments, beat his attendants, carried off all the vessels and furnishings of the feast, and left him thus grossly outraged."<sup>3</sup> King Gunthrum called a council of bishops at Lyons, which deprived the two villains of the "episcopal dignity." But they obtained permission from the king to appeal to the Pope, John III (A.D. 559-572), who sent them back with a letter to the king directing that they should be restored to their former rank. And this was done. The two bishops acted as before, beating certain inhabitants of their cities with clubs till the blood flowed; and the outcries of the common people was such that the king eventually ordered the two to be shut up in two monasteries far removed from each other. Another bishop, Badegisil of Lemans, was "a right savage man to his people, unjustly seizing and carrying off the goods of many.

<sup>1</sup> Greg. Tur., *H.F.*, iv, 36 (*Pat. Lat.*, 71), col. 299.

<sup>2</sup> *Ibid.*, iv, 29 (42).

<sup>3</sup> *Ibid.*, v, 21. The *natalitium* which Victor was celebrating was not his "birthday," in our sense, but the anniversary of his consecration.

His wife, worse than himself, was ever urging him on to new crimes."<sup>1</sup>

Naturally the history of evil is more striking than the record of good deeds, most of them unnoticed at the time. But Gregory of Tours reports examples also of virtuous bishops whose difficulties were increased by the ambitions and avarice of the kings. The position of those in authority, therefore, in the Church and the State was gradually changing so that Catholic kings, no longer looking for support against heretics, felt themselves free to do as they liked in the appointment of bishops. They would reward their own warriors, counts or courtiers, by having them consecrated as bishops. And clearly such bishops valued their position for the wealth and licence it provided, rather than for any service they might perform for the unfortunate people or clergy whom they might rule. The Churches held considerable amounts of land and were able to collect money and other presents from nobles or from those who needed their protection. But as soon as the Churches had become wealthy and the bishops had secured riches with the support of the king, the power of the king could easily be extended. The bishops might soon have become simply dependents and agents of barbarian kings. The Council of Paris in A.D. 614 attempted to restrict the power of the Frankish king by a Resolution that the election of bishops should be carried out according to the early canons. But the king immediately rejected the implied limitation of his powers by a declaration that the royal diploma was indispensable to the holding of any See.

The later history of the kingship held by the Merovingians is partly a mere record of a succession of sordid struggles for power—at first between the rulers of Austrasia, or what is now called Belgium and western Germany, and Neustria, now northern France. This is the earliest sign in history of the long rivalry which has cursed Europe for more than a thousand years, between the Governments east and west of the Rhine. But another series of events at the end of the seventh century was more important for

<sup>1</sup> Greg. Tur., *H.F.*, viii, 39. The wife was a sadist: "*nam saepius viris omnia pudenda cum ipsis ventris pellibus incidit: feminis secretiora corporis loca laminis conductibus perussit.*"

the immediate future. This was the struggle for the control of the government of the Franks by wealthy landowners who sought in the position of Major Domus, or Chief of the Palace, to control puppet kings. This struggle left the Major Domus, Pippin of Heristal, in complete control for twenty-seven years (A.D. 687 to A.D. 714). He was succeeded by his illegitimate son, Charles Martel, who led the Franks to victory over the Saracen invaders of Gaul near Poitiers in A.D. 732. For twenty-five years Charles Martel ruled over Neustria, Austrasia and Burgundy. The last of the Merovingian kings had died in A.D. 737; and the Chief of the Palace did not find it necessary to have another king. His victories on all sides, however, left him with a ravenous mob of warriors whom he had to satisfy for their services; and he used the estates of the Church for this purpose.<sup>1</sup> To some, as counts, he gave Church lands. Others he found it more convenient to appoint as abbots and bishops, who could thus use for their personal advantage the wealth of the monasteries and churches. One warrior was made bishop of both Trier and Rheims; and his nephew Hugo held at the same time the bishoprics of Paris, Rouen and Bayeux, as well as the abbacies of Fontenelle and Jumièges.<sup>2</sup> The result upon the fortunes of the Church is described by St. Boniface in a letter to Pope Zachary.<sup>3</sup> He asks advice from the Pope on such problems as these: "If I find among those called deacons men who from their childhood have always been whoring, in adultery and other filthiness, and with such a reputation become deacons, and as deacons have had four or five or more concubines at night in bed and yet are not ashamed to read the gospel and call themselves deacons and in such evil habits have come to the priesthood and continuing in the same sins, adding sin to sin, are then fulfilling the priestly office, so that they pray for the people and make the sacred offering—finally, what is worse, with such reputations they go through each of the orders and are ordained and nominated bishops: (if I

<sup>1</sup> Waitz, *Deutsche Verfassungsgeschichte* (2nd ed., 1883), vol. iii, p. 15, gives a long note, collecting all the different accounts of this use of Church lands. But Waitz's book is hardly more than a summary of extracts from chronicles.

<sup>2</sup> *Gesta Abbatum Font.*, section 8, p. 26, in Pertz, *Script. R.G.* (1886).

<sup>3</sup> Boniface, Ep. xlix (in *Pat. Lat.*); Ep. 50 (in *M.G.H.*).

find such, I ask) that I may have a written decision on such cases, and they may be pronounced and proved sinners by the apostolic answer. Also some of them are bishops, who although they say they do not commit fornication or adultery, are nevertheless drunken and unreliable, or go hunting or fight in the army, and with their own hand shed the blood of men, both Christian and pagan." This letter was written in April A.D. 742. In reply Pope Zachary writes in April A.D. 743 that if Boniface finds bishops, priests, or deacons acting against the canons: "that is, if they commit adultery or have many wives or shed the blood of Christians or pagans, apostolic authority by no means permits them to retain their office." And he quotes Leviticus xvi. 13, "Let my priests marry once only," and the Apostle (1 Tim. iii. 2), "the husband of one wife," and proceeds, "this is lawful before the priesthood (*sacerdotium*); for from that day they are prohibited from even that lawful marriage."

The whole situation was transformed by the final replacement of the line of Merovingian kings by Pippin, the son of Charles Martel, who became Major Domus in A.D. 741, and in A.D. 752 was anointed king of the Franks by St. Boniface himself at Soissons.<sup>1</sup> It is said by a chronicler that Pippin had sent in the year A.D. 750 to ask Pope Zachary whether "the man who held power in the kingdom should be called king and be king rather than he who bore the name."<sup>2</sup> The Pope is said to have recommended that Pippin should be made king. In any case the anointing of the new ruler was of immense importance.

In the first place, the bishops, in the person of St. Boniface and under the authority of the Roman See, had obtained a position of pre-eminent importance with regard to the kingship. Pippin was, in fact, a usurper. He had no hereditary right to the throne, and the Frankish nobles had in earlier time prevented an attempt, similar to Pippin's, of the Mayor of the Palace to displace the king.

<sup>1</sup> The Annals do not agree about the date. See Hodgkin, *Italy*, vii, p. 134 n.

<sup>2</sup> *Annales Laurissenses*, ann. 749. Acquiescence in an established order is sometimes difficult to distinguish from submission to a successful ruffian. The Pope comes very near to admitting the principle "might is right." In 1938 Cardinal Innitzer, in Vienna, issued a declaration ending with the words "Heil Hitler." "*Victrix causa, diis placuit—et episcopis.*" The bishops are on the side of the big battalions.

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But now, the authority of the Church displaced hereditary right, and a usurper was granted divine authority by the bishops. Secondly, the anointment of kings and the ceremony of ecclesiastical coronation were from that date established in the western kingdoms. The practice is based, not upon the Roman tradition of the Empire, nor upon the Germanic ritual for recognizing kingly authority, but upon the practice and theory recorded in the Old Testament. The monks and clergy in the West now began to use the position of prophets and priests in the Old Testament as one of the chief bases of their influence upon the civil and military authorities.<sup>1</sup> Anointment, in primitive custom, is a magical ceremony for turning an ordinary man into something better by smearing him with the fat of a sacrificial victim.<sup>2</sup> The use of oil is a later development. Anointment with oil was used by witches to turn themselves into non-human beings, as Apuleius says. Thus, the king became a divine being by the use of the oil of consecration, as the clergy also were anointed in the ritual of ordination.

The coronation of Pippin may have been influenced by the ceremony for the acknowledgment of an Emperor, organized by the clergy in Constantinople. This ceremony, from which, as Gibbon says, "the clergy have deduced the most formidable consequences," was performed for the first time when, in A.D. 457, the Emperor Leo I received the crown from the hands of the bishop.<sup>3</sup> But the first ceremony of the kind in a church occurred in A.D. 602 when Phocas, himself a usurper and murderer, was acknowledged as Emperor. In no case, however, was anointment used as part of the ceremony in Constantinople until the thirteenth century; and then in A.D. 1204 the Emperor Baldwin was anointed according to the Western rite.<sup>4</sup> On the other hand, in Spain in the seventh century, the anointment of a new king by bishops seems

<sup>1</sup> Thus in the coronation service of George VI, May 12, 1937, the choir sang the words from 1 Kings i, 39: "Zadok the priest and Nathan the prophet anointed Solomon king."

<sup>2</sup> See Robertson Smith, *Religion of the Semites* (ed. 1907, p. 384), "unction is primarily an application of the sacrificial fat, with its living virtues, to the persons of the worshippers."

<sup>3</sup> Gibbon, *Decline and Fall*, chap. xxxvii, note.

<sup>4</sup> See the article on the Byzantine Imperial Coronation in *Journal of Theological Studies*, April 1901, by F. E. Brightman.

to have become an established custom, as it has been noted in an earlier chapter. It is probable, therefore, that if there was any influence other than that of the Old Testament, which confirmed the rite of consecration of kings, it came from Spain.

*Britain becomes England*

The story of the early influence of bishops in the conversion of kings and peoples in England is so well known and so admirably told by Bede that it is not necessary to do more than remind the reader of the situation in the seventh and eighth centuries. Augustine landed in Thanet in A.D. 597 with interpreters "from the nation of the Franks." Ethelbert, king of Kent, whose sovereignty extended as far as the Humber, "had heard before of the Christian religion, because he had a Christian wife of the royal family of the Franks, called Bertha, whom he had received from her parents upon condition that she should be permitted to practice her religion with the bishop Luidhard, who was sent with her to preserve her faith."<sup>1</sup> Thus, as in the case of Clotilda, wife of Clovis, and of Theudelinda, among the Lombards, the queen acted as a forerunner of the missionary. The queen's bishop was in the field before the king's. Queen Bertha used to pray in a church in Canterbury, dedicated in honour of St. Martin, built while the Romans were still in the island; and here Augustine and his companions also used to pray, until the king was converted and allowed them to build other churches. Augustine then travelled to Arles and was ordained archbishop of the English nation. He ordained two other bishops in A.D. 604, one to convert the East Saxons, Bishop Mellitus, for whom King Ethelbert built the church of St. Paul in London, and the other, Justus, to be bishop of Kent, with his See at Rochester. King Ethelbert added lands and possessions for the use of those who were with the bishops.<sup>2</sup> Similarly, Paulinus preached on the south side of the Humber and converted the governor of the city of Lincoln with his whole family. And within the domain of King Edwin, who was baptized at York in A.D. 627, Paulinus influenced the government "so that there was perfect peace in Britain where-

<sup>1</sup> Bede, *H.E.*, i, 25.

<sup>2</sup> *Ibid.*, ii, 3.

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soever the dominion of King Edwin extended." Pope Honorius wrote a letter to King Edwin, which is given by Bede, in which the king is praised because "his conduct as king is based upon the knowledge he had of God through the preaching of religion."<sup>1</sup>

It must not be imagined, however, that virtue and religion meant to Bede and his contemporaries what they mean now to anyone with a knowledge of history and science. Virtue did, indeed, include kindliness, self-sacrifice and the service of others; but it also included, as is clear in the letters of St. Boniface, asceticism and celibacy, as an ideal state, which were characteristic of the lives of monks and nuns. Religion then included a dread of demons in the world of nature; and it also promoted an extreme fear of celestial Powers which were prepared to burn and torture after death anyone displeasing to them. This fear is very strongly expressed in Bede's *History*, as in the story of the monk who was a carpenter, but a drunkard, and saw the hot place prepared for him in hell before his death. Religion also involved a general belief in the magical power of the clergy, as in the case of the captive, whose brother, a priest and abbot at Towcester, said Mass for him; and each time Mass was said, the chains of the captive fell off.<sup>2</sup> Or again, the cross erected by King Oswald on the field of battle is said to have proved useful, "for even to this day many cut off small chips from the wood of the cross which, being put into water, men or cattle drinking thereof are immediately restored to health."<sup>3</sup> Similarly a chip of the stake on which King Oswald's head was set up by the pagans, drunk with some blessed water, caused recovery from illness and a long life thereafter.<sup>4</sup> Relics therefore as well as ecclesiastical rituals contributed to the influence which the Church acquired over the barbarian kings and peoples of England. But everywhere in Europe at this date moral and religious teaching combined the most primitive magic with the first steps towards civilized life. It would be as foolish to underestimate the influence of magic among the ignorant as to despise

<sup>1</sup> Bede, *H.E.*, ii, 17.

<sup>2</sup> *Ibid.*, iv, 22. Precisely the same story is in Gregory the Great's *Dialogues*, iv, 57; and, except for the Mass, in Ovid, *Fasti*, iii, 699.

<sup>3</sup> *Ibid.*, iii, 2.

<sup>4</sup> *Ibid.*, iii, 13.



the teaching of a finer morality, because the teacher was a man of his time, full of unreasonable fears and groundless beliefs.

All the bishops of the newly-converted English maintained the same theological beliefs and ritual practices, and thus united the peoples and kings of the many kingdoms into which England was then divided. But the older Christianity of the British who had been defeated and driven westwards, did not for many centuries lead to any friendship between the British and the Anglo-Saxons. Bede describes how Augustine failed to unite the bishops of the British people with his own work for the conversion of the English; and at a later date a Christian British king in alliance with the non-Christian Saxon king, Penda, defeated Christian Saxons in northern England, "as it is the custom to this day," in the words of Bede, "of the Britons to pay no respect to the faith and religion of the English."<sup>1</sup> The hatred of the British for those who had driven them from their country, was evidently not overcome by the conversion of these latter to Christianity. But no similar feeling stood in the way of the Christian Churches in Ireland and their converts in what is now called southern Scotland. Through these Christianity was introduced into northern England independently of the work of the missionaries from Rome.

Irish Christianity, however, had been organized on the basis of monastic settlements in which the bishops were subordinate to abbots; and missionary zeal led to adventurous expeditions of individual monks or hermits rather than to organized missions under bishops. The two types of Christianity, that of Ireland and that of Rome, met in northern England; and differences between them were at once perceived. The two differences which attracted most attention at the time were, first, the date of keeping Easter, and secondly, the style of the tonsure. These unimportant differences might have divided the Churches of England and made it impossible for the English bishops either to unite among themselves or to assist in uniting the English kingdom. But, fortunately, at a conference at Whitby in A.D. 664 King Oswy and the whole company present decided to follow the Roman customs and thus, without

<sup>1</sup> Bede, *H.E.*, ii, 20.

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intending it, united all the future Churches of England and Scotland and made their connection with the Churches on the continent ultimately dependent upon Canterbury. From this time, in spite of many difficulties and the later destruction of the Churches in the north of England, the organization of Christianity in the whole of England was the same in practice as well as doctrine, under the control of bishops and kings, all of whom looked to Rome as a central authority.

The influence of the bishops in England is expressed in the text of the earliest English laws. The laws of Ethelbert are said by Bede to have been issued in accordance with the examples of the Romans.<sup>1</sup> They were written down some time before the death of Ethelbert in A.D. 616 or A.D. 617 "in the language of the English," and the first sentences, translated into modern English, run as follows: "These are the decrees which King Ethelbert established in the lifetime of Augustine. Theft of God's property and the Church's shall be compensated twelvefold; a bishop's property elevenfold, a priest's property ninefold. . . . If a freeman robs the king he shall pay in ninefold amount." It has been remarked that a bishop's property is treated as more important than a king's;<sup>2</sup> and even if the text of the laws, as we now have them, includes reference to some later customs than those of Augustine's day, the reference to the status of the clergy is probably original. Again, the Laws of Wihtred of about the year 695, begin as follows: "During the sovereignty of Wihtred, the most gracious king of Kent, in the fifth year of his reign, the ninth Indiction, the sixth day of Rugern, in the place which is called Barham, there was assembled a deliberative council of the notables. There were present Berhtwald, the chief bishop of Britain, and the above-mentioned king; the bishop of Rochester, who was called Gefinnud; and every order of the Church of the Province expressed itself in unanimity with the loyal laity (assembled there)."<sup>3</sup> And, finally, the Laws of Ine, of about the year A.D. 690, begin: "I, Ine, by the grace of God King

<sup>1</sup> Bede, *H.E.*, ii, 5.

<sup>2</sup> See F. L. Attenborough, *The Laws of the English Kings*, p. 175. The translations given here are from Attenborough.

<sup>3</sup> Attenborough, p. 25.

of Wessex, with the advice and instruction of Cenred, my father, of Hedde, my bishop, and of Erconwald, my bishop."<sup>1</sup>

Evidently the bishops in England were at first, in the simplest sense of the word, kings' bishops. Indeed, they seem to be attached to the kings recently converted almost as chaplains, or at least as advisers and guides among the kings' "wise men." But England was divided into many small kingdoms and the bishops never became so completely subordinated to their kings as to lose the sense of the unity of the Christian people in the different kingdoms. It was not, however, until Archbishop Theodore became archbishop of Canterbury, on the nomination of the Pope, that the English Church as a whole made a definite step forward to unity both for itself and the nation. To archbishop Theodore, and not to Augustine, its first missionary from Rome, the Church in England owed its organization, its unity, and its later influence in uniting the Germanic invaders in one English nation. Theodore was a Greek-speaking monk who had settled in Rome, probably among the refugees, if he was not himself a refugee, from Roman Asia after the Mohammedan invasion. Many such refugees from the East brought their learning and ability to the assistance of the Latin Churches. Thus, the Church in England was established upon a firm foundation, and the unity of the English nation made possible, not only by Anglo-Saxon institutions, but also by the civilizing influence of the Latin Churches and the administrative skill of a Greek.

Theodore arrived at Canterbury in A.D. 609, as Bede says: "the first archbishop whom all the English Church obeyed."<sup>2</sup> And in A.D. 673 a general synod of bishops of the Church in England was held at Hertford. The canons are given in Bede's *History*; and the evident purpose of the synod was to organize all the bishoprics of England in one system, while the different kingdoms remained continually at war. A second council of the bishops of England

<sup>1</sup> Attenborough, pp. 34-37.

<sup>2</sup> Bede, *H.E.*, iv, 2. In a letter of Pope Zachary to St. Boniface, Theodore is referred to as "Graeco-Latinus ante philosophus et Athenis eruditus, Romae ordinatus" (on March 26, 668). See Bonifacius, Ep. 80, in Pertz, *M.G.H.* (Berlin, 1916).

was held in A.D. 680 in order to confirm the adhesion of the Church in England to the condemnation of the Monophysite heresy; and this council further confirmed the unity of the English bishops. But a new difficulty arose about a hundred years later when Offa, king of the Mercians, planned to establish a Primate and archbishop at Lichfield, under his own immediate control, in opposition to the claims of Canterbury. The archbishop of Canterbury at the time seems to have been unacceptable to the king of Mercia, although Kent acknowledged his suzerainty. The Council of Chelsea in A.D. 789, at which two Papal Legates were present, consented to the policy of king Offa; but in A.D. 796, on the death of Offa, the See of Canterbury was again recognized as that of the Primate. Evidently the Church itself preserved its own organization and its unity by securing independence of any of the rival kingdoms; and when at last the greater part of England was unified politically for the first time under the kings of Wessex, Canterbury remained the ecclesiastical capital. The bishops of the Church in England were thus never identified with the fortunes of the State to such an extent as was the case in Spain.

Again, the bishops in England were continuously in contact with the bishops of other countries, and especially with the bishop of Rome. The Popes continued throughout the seventh and eighth centuries to exercise direct influence upon the Churches in England, which had indeed come into existence originally because of the energy and foresight of Pope Gregory the Great. And the influence of Rome, as a city of the Apostles and martyrs and not of emperors, made a deep impression upon the laity as well as the clergy of England. Thus many Saxon kings made the pilgrimage to Rome; and some resigned their crowns in order to spend the remainder of their days near the shrine of St. Peter. Thus, also, in the letters of St. Boniface mention is made of the many Englishwomen who undertook the pilgrimage to Rome, with some danger not only to their lives but also to their morals. In a letter of about the year 738, from Boniface to the Abbess Bugga, he advises her not to go to Rome until the confusion caused by the threat of the Saracens, who have lately set upon the Romans, shall have sub-

sided.<sup>1</sup> In another letter, of the year 745 or 747, to archbishop Cuthbert of Canterbury, Boniface writes: "All the servants of God over here (on the Continent) think that it would be good, and the honour and purity of your Church would benefit in providing some relief from evil, if your synod and your nobles would prohibit laywomen and nuns to undertake the journey and join the concourse which goes and comes on the way to Rome, because the greater number of them perish and few remain untouched. There are few cities in Lombardy, in France (i.e. Germany) or in Gaul in which there is not an adulteress or harlot of the English race, which is bad for the reputation of the whole of your Church."<sup>2</sup>

It is important also to notice in the correspondence of St. Boniface that he was able to criticize from his distant See in Germany the habits and customs of an English king. In the year 746 or 747 St. Boniface and about six other missionary bishops in Germany, all of them English, wrote to King Ethelbald of Mercia saying that the writers were rejoiced to hear that the king suppressed violence, established peace in his kingdom and was generous in almsgiving.<sup>3</sup> They have heard, however, that the king's sexual habits are the reverse of edifying. They ask him to reform, because even the pagans are opposed to adultery and fornication; "but if the English people (*Gens Anglorum*), as it is commonly said in these parts, and as we are jeered at in France and Italy on this account, lives an unclean life . . . they will be thought degenerate and finally neither strong in war nor stable in their faith, nor honoured among men nor loved by God—as it happened to the other peoples of Spain and Provence and to the Burgundians, who so departed from God in fornication until the Almighty Judge permitted the penalties of such crimes by ignorance of the law of God and by the invasion of the Saracens." Again, they protest that the king has suppressed the liberties of monasteries and that his counts do the same. They urge the king, therefore, with many quotations from the Book of Wisdom, to reform his life.

This letter was sent with another from Boniface himself to a

<sup>1</sup> Boniface, Ep. 27 (*M.G.H.*).

<sup>2</sup> *Ibid.*, Ep. 78 (*M.G.H.*), in *Pat. Lat.*, 89, this letter is No. 63 and is dated A.D. 745 (col. 763).

<sup>3</sup> *Ibid.*, Ep. 73 (*M.G.H.*).

## KINGS' BISHOPS

priest, Herefrid, asking him to help in bringing the bishops' message to the notice of the king; and a further letter from Boniface to archbishop Egbert of York asks him to make what changes he thinks fit in the letter to King Ethelbald and to support what he thinks correct.<sup>1</sup> Evidently the kings of the different parts of England were under continual criticism by bishops; and the Church thus acted as a sort of opposition within these petty kingdoms. But in most cases the bishops directed and advised kings in council with other "wise men," while the kings were raised above their nobles by the moral authority conferred upon them through ecclesiastical rites and ceremonies.

An indication of the new position acquired by kings thus supported by bishops, is to be found in the ceremony for the anointing of kings at their coronation. This ceremony must have been introduced into England at about the same date as it was into Spain, and certainly before the anointing of the Frankish usurper Pippin by Boniface in A.D. 752. The Pontifical of Egbert, archbishop of York, the friend of Bede, contains the prayers and ritual for the coronation of a king. Egbert became archbishop of York in A.D. 732; but there is no clear evidence that the manuscripts at present in existence contain rituals of that date. The manuscript quoted below is of the tenth century.<sup>2</sup> This manuscript of the Pontifical contains, among the other prayers and rituals to be found in any Pontifical, a Mass for kings on the day of their coronation. The ritual for "the Benediction of a king newly elected" directs: "Here the bishop pours oil from a horn on the king's head with the antiphon 'They anointed Solomon' and the psalm 'Lord in Thy strength.' One of the bishops must say the prayer and the others anoint." The prayer runs: "O God, who after the deluge by a dove bearing the olive branch showed that peace was restored to earth, and established as priest Aaron thy servant by anointing with oil, and later by this same anointing made priests and kings and prophets to rule the people of Israel . . . we pray that by this oil you will bless this your servant and let him like the dove bring

<sup>1</sup> Boniface, Eps. 74 and 75 (M.G.H.).

<sup>2</sup> Printed for the Surtees Society, vol. xxvii (1853).

peace to the people subject to him. . . . Let him sit on his throne always in good counsel and just judgement." The second edition says here: "All the bishops, with the nobles, put a sceptre into the king's hand" and later a staff; and again: "All the bishops take the helmet and place it on the king's head."<sup>1</sup> Evidently the ceremony was sufficiently established in the English tradition, and it cannot have failed to give moral authority to the king, thus consecrated. They were thus made sacred persons, holding power by some "divine" authority, and so distinguished from the civil nobility and united with the clergy. Indeed, by anointing the king acquired some sacerdotal characteristics.

### *The Influence of Ireland*

In Ireland, for a century after St. Patrick, the development of the Christian community can hardly be traced in any surviving documents. But by the seventh century Ireland had become the home not only of a vigorous monasticism, but also of learning and general culture much superior to that of the rest of western Europe. Monks from Ireland, like St. Columban, had acted as missionaries in Gaul, Germany and Italy. St. Columban himself had founded the monastery of Bobbio in northern Italy, which became a seat of learning. And the monastery founded near Lake Constance by St. Gall, another Irishman, preserved the tradition of scholarship throughout the Middle Ages.<sup>2</sup> Irish Christianity was monastic rather than episcopal. It flourished in settlements controlled by abbots to whom bishops were subordinate. This was a result of the tribal organization in Ireland, where kings or leaders of the people were little more than local chieftains of pastoral or simple agricultural communities. Therefore Ireland did not contribute to the later organization of Church and State, except in so far as Irish missionaries converted the kings and people of southern Scotland and northern England. But one short treatise on social problems remains, which is now believed to have been written in Ireland,

<sup>1</sup> Sumant galeum et ponant super caput ipsius (p. 103). So in the Surtees Society's Text. But "galeum" may be only a misreading of the manuscript "galeam."

<sup>2</sup> The monastery was founded in A.D. 614. In A.D. 954 walls were built round it, for defence against the Saracens.

about the year 630. This is the book of the *Twelve Evils of the Age*.<sup>1</sup> It assumes, as all the teaching of that time assumed, that the fundamental problem was not the improvement of social institutions but the improvement of the morals of individuals. Thus, the evils of the Age in this book are the wise man who does nothing, the old man without religion, the young man without obedience, the rich man without charity, the woman without modesty, the lord without vigour, the Christian who is quarrelsome, the poor man who is proud, the unjust king, the negligent bishop, common folk without discipline, and a community without law. Of the local lords it is said that some are improved by their position and some made worse; and the duties of the king are declared to be the administration of justice, the defence of the Church and the protection of the fatherland. The conclusion of the whole treatise is a call to unity based upon the saying of St. Paul that all are one in Christ. This treatise, which became attached in some manuscripts to the works of St. Cyprian, is quoted as Cyprian's in Hincmar's book on the Organization of the Palace (*De Ordine Palatii*), which was written in the ninth century. It had, therefore, some influence on ideas of government and of social organization in the Middle Ages.

The development of ecclesiastical organization in Ireland, and the possibility of political unity there, as in England, under the influence of the Church, were prevented by the invasions of the Northmen in the ninth century. But probably the Christian communities in Ireland before that time, being organized upon a tribal and monastic basis, and not upon the Roman basis of city bishoprics, had for that reason less power to unite the different Irish tribes. In any case, the pagan invaders from the North sacked monasteries and other settlements, and thereby destroyed the great tradition of learning and piety in Ireland, which had for some centuries before illuminated western Europe. Northmen, now called Danes, raided Dublin Bay in A.D. 795. Other Northmen, now called Norwegians, came up the Shannon. Refugees from Ireland, such as Sedulius

<sup>1</sup> *De Duodecim Abusivis Saeculi*, pub. 1910 in *Altchr. Lit.*, vol. 34. *Texte und Untersuchungen*, Harnack und Schmidt.



Scottus and Johannes Scotus Eriugena, took Irish learning to western Europe. But Ireland itself was no longer the home of learning or of the arts and sciences of civilized life.

*Germany becomes Christian*

In the parts of Germany which had been outside the influence of the Roman Empire, English missionaries in the seventh and eighth centuries extended the power of Christianity and the organization of the Church. But here also tribal society prevailed, and monasteries, which extended the cultivation of the soil in areas hitherto covered by forests and marshes, and also formed centres of learning and the arts, were at first more important than bishops and their clergy. The first missionary expedition which had some success among the peoples east of the Frankish dominions, was that of Willibrord, whose mission to the Frisians, in what is now called Holland, is described by Bede. Willibrord, a Yorkshman who had studied for twelve years in Ireland, was ordained as a missionary bishop in Rome by Pope Sergius I in A.D. 695, and according to St. Boniface he preached for fifty years among the Frisians and converted most of them.<sup>1</sup> He died in A.D. 739. His great successor, St. Boniface, was the leader of many English missionaries who tried to convert the Germanic peoples to Christianity from the worship of the war-gods Woden and Thor.

The extension of Christianity into the tribal parts of what is now Germany, however, was largely dependent upon the influence and military power of the kings of the Franks. And it was in his efforts to use that influence, both for the spread of Christianity and for the reform of the clergy in the Frankish dominions, that St. Boniface eventually overcame the usurper Pippin as king. The kingship thereby secured, and afterwards supported by the Popes themselves, was one of the chief instruments for the increase of the power of the bishops in the newly-converted areas.

The connection between Rome and Germany, east of the Rhine,

<sup>1</sup> Boniface, Ep. 109 (MGH). This letter is a complaint to Pope Stephen II (A.D. 753) that the bishop of Cologne had claimed jurisdiction over the old See of Willibrord (Tragacetus=Utrecht) which Carloman had committed to Boniface himself.

was thus brought about by English missionaries, and throughout the Middle Ages—and perhaps even later—Germany was obsessed with the idea that a barbarian ruler could obtain prestige by using the title of a Roman Emperor and being crowned in Rome by the successor of St. Peter. In England in the eighth century, Rome was looked upon as the central source of English Christianity, and English kings went to Rome as pilgrims—some even abdicating their kingship in order to live their last years near to the tomb of the gate-keeper of heaven. But the English missionaries among the Germanic tribes in the eighth and ninth centuries had special reasons for their dependence upon Rome and its bishops. Willibrord and Boniface, and all the other monks and nuns who helped them in their mission, looked to Rome as a source from which to draw influence in their attempt to reform the Frankish clergy. The kings of the Franks who supported such reform found in Rome an authority older than that of any Gallic bishopric. On the other hand, if the English missionaries in Germany had been too completely identified with the policy of the Frankish kings, political or tribal prejudice east of the Rhine would have obstructed their work. It was easier for Englishmen to convert the Germans than it would have been for the clergy and monks from the Latin-speaking districts west of the Rhine. Besides a similarity of language—and a portion of St. Boniface's catechism in a Germanic dialect has survived—there was an absence of traditional rivalries between England and Germany, such as had divided Roman Gaul from barbarian Germany.

The close association of the Frankish kings, however, with the English missionaries in Germany gave those kings an opportunity for extending their domains. As Clovis, in the sixth century, had found it very convenient to be a Catholic Christian when he saw an opportunity of invading the territory of an Arian king, so Charles Martel and Charles the Great, in the later eighth century, were not blind to the advantages of conquest in the name of Christ. The Germanic, and some Slavonic tribes in what is now Germany, were induced to become Christian by force of arms. This will be discussed in a later chapter. Here it is necessary only to note that,

As a result of forcible conversion, the relation between kings and bishops in Germany was somewhat different from that in France and England. In France, or Gaul, under the Roman Empire Christianity had begun as a movement among the poor; and its extension was dependent upon preaching. Among the English, although Christianity had been accepted first by tribal kings, none of them was "converted" by force of arms. Persuasion and not force was the means of extending Christianity in France and England. In Germany, on the other hand, east of the Rhine, Christianity was introduced among the Saxons and the tribes in what is now Prussia, as a religion of warriors under a God of War. And the more civilized influence of the Englishmen Boniface and Alcuin was not strong enough to moderate the zeal of Germanic warriors for a holy war. Christianity, therefore, among the Germans of the Middle Ages and perhaps later, was closely associated with war. Support was found for this association in lessons from the Old Testament concerning Joshua, Gideon, Saul and David. Divine approval was implied in the text: "Saul hath slain his thousands, but David his tens of thousands."<sup>1</sup> Charles the Great, the ideal of medieval German rulers, was called David by his friends and admirers. His favourite bishops, indeed, were scholars; but by the middle of the ninth century many bishops and abbots bore arms and fought vigorously.

### *National Churches*

In their relation to civil government, the bishops, after the disappearance of the Roman Empire in the West, had an important influence upon the formation of the "nations" of the First Europe and the connection between these nations. Under the Empire, ecclesiastical districts were in general similar to those of the civil administration.<sup>2</sup> A Roman province was an administrative unity, both for the imperial Authorities and the Churches. The bishops of a province met regularly in council; and, in later years, the bishop

<sup>1</sup> 1 *Samuel* xxix. 5. This text is used on the memorial to the machine-gun corps of the British army in the war of 1914-1918, which now stands at Hyde Park Corner in London.

<sup>2</sup> See Duchesne, *Christian Worship* (Eng. trans. 1904).

of the chief city in a province, as "metropolitan," presided. The metropolitan acquired first prestige and then certain disciplinary powers. And when the Roman administration no longer existed in the West, the bishops continued to meet in council in the old districts until the new boundaries of barbarian kingdoms had been fixed by the fortunes of war. After that time it became impossible for the bishops of the districts under one king to meet in council with bishops under other kings because of the rivalry between them. Councils of bishops, therefore, which were not acting merely for a small district, became "national" almost in the modern sense of that word. Such councils were usually summoned by the king and often opened in his presence. Thus, the councils of Toledo acted for the kingdom of the Visigoths; and many councils of Orleans and Paris acted for the whole of the Frankish kingdom.<sup>1</sup> Such councils would naturally promote the unity of the populations ruled over by a king. In the case of England, as it has been noted in an earlier section of this chapter, councils of bishops from different small kingdoms actually preceded the unification of the English nation. In Italy there was no such "national" council of bishops, partly because of the early rivalry between the See of Milan and the See of Rome, when Milan was the capital from about A.D. 300 to about A.D. 400; and partly because the later bishops under Lombard kings were divided from the bishop of Rome so long as he remained a subject of the Roman Emperor.

The tendency towards the separation of one national Church from another, however, was counteracted by the use of the same Latin language in all councils of all kingdoms, and by the traditions of unity between all the Churches surviving from the Roman Empire. Again, the most definitely national councils—those of Toledo—ceased to meet when the Christian kingdom in southern Spain was destroyed by the Mohammedan invasions; and in the eighth century the Frankish Churches were reformed by reference to the canons and the ritual of the Roman Church. In the fifth, sixth and seventh centuries there were different rites and ceremonies in the Churches of Spain, Gaul, northern Italy and Rome; and

<sup>1</sup> See De Clercq, *Législation Religieuse Franque*, 1936.

there were different collections of canons in these different districts. But in the eighth century the Roman Church, partly through the influence it exercised upon the Churches in Spain, Gaul and northern Italy, became the chief source of canons and of ritual for all the West.

*General Conclusions: The Church and Civil Government*

The results of the new relations between Church and State were similar in all the kingdoms of western Europe. Clearly, the bishops individually in each diocese and collectively in synods or councils were the real sources of civilization. With them were associated in the middle of the seventh century, the abbots of the great Benedictine monasteries. Councils of bishops and abbots, sometimes in association with the leading warriors of the kingdom, established under the king's authority the laws of his realm and directed or modified policy. It followed inevitably that the bishops and, to some extent, the abbots were drawn into the ordinary organization of government in each kingdom. Their functions in government became almost as important, if not more important, than their activities as preachers or teachers. But there was no other possible way of securing law, order and social progress in the new society. The bishops had a tradition, partly ecclesiastical and partly civil, derived from memories and records of the Roman Empire, which served as a guide in the art of government. They had also the Latin language to give them the means of expressing social relationships unfamiliar to the more primitive Franks and Saxons. This Latin language bound them to a world outside the frontiers of each kingdom, and was a means by which civilized habits and modes of thought could pass over the boundaries of barbaric dialects. Again, as it was pointed out above (Chapter VI), the bishops individually and councils of bishops stood for the common folk in each kingdom in a sense in which neither a king nor a local lord could be said to do so. In Gaul and Spain the language of the Church was the current popular language, at least among the majority. And even where, as in England, the official language of the churchmen was different from that of the common people, the

bishop was in closer contact, because of his ecclesiastical functions, with the dependants of lords and kings than any civil Authority could be. Even when the Feudal System was beginning, and the Christian community was being separated into distinct social classes, when most men and women were left in subjection, more or less complete, to the wealthy and the powerful, the Church continued to preach, even if it did not practice, the equality of all men, and to declare that manual labour and the service of others were divinely appointed and not in themselves either objectionable or degrading. In this aspect at least, as it will be argued more fully in a later chapter, the civilization of the Middle Ages had a wider and firmer basis than that of the Roman Empire. At the end of the eighth century Alcuin used exactly the same language about the equality of all men before God as had been used in the fifth century by Salvian;<sup>1</sup> and although after the conversion of kings, both civil and ecclesiastical Authorities forgot that Christianity had been established by working-men, the great Benedictine abbeys maintained throughout the Middle Ages the doctrine and the practice that all work is prayer (*Laborare est orare*). St. Boniface in his letter to Pope Zachary on the foundation of the monastery at Fulda, says of the monks that they were "satisfied by the labours of their own hands, without serfs."<sup>2</sup> This did not remain true of the greater monasteries in later years; but the tradition and the ideal implied had a widespread influence upon the status of manual work.

The kings and their warriors, on the other hand, provided armed force, with which the bishops had come to terms. The problem is the same in all forms of civilization; but it is most urgent in times of unsettlement and transition. If the bishops had relied only upon moral influence and the appeal to the example of the Saints, they might for a time have improved the way of life among a few enthusiasts in their immediate neighbourhood. But in practice moral influence is useless as a protection against the violence and treachery of those men and women who are determined to take as much as they can from anyone weaker than

<sup>1</sup> In the *De Virtutibus et Vitiis*.

<sup>2</sup> Boniface, Ep. 86 (A.D. 751), *M.G.H.*, "absque servis, proprio manuum suarum labore contentos."

themselves. The civilization of the great monasteries in northern England, so admirably apparent in the pages of Bede, was utterly destroyed soon after his death by Danish pirates and raiders. Bede himself, indeed, foresaw the danger to civilized life if a great number of Christians renounced or avoided their obligations in civil life. At the end of his *History* he writes: "Such is the prevailing peace of the times that many Northumbrian nobles and commoners lay aside their arms and dedicate themselves and their children rather to the tonsure and monastic vows than to the study of martial discipline. What will be the end of that the next age will show."<sup>1</sup> Similarly at the end of his life Bede wrote a letter of advice and exhortation to his friend Egbert, archbishop of York, in which he warned him against the establishment of large monastic settlements—hardly, in Bede's opinion, to be called true monasteries, in which landowners and workers on the land, in groups of families, lived together apart from the main current of life among their contemporaries, thus escaping some of the obligations of public service.<sup>2</sup> This was written in about A.D. 735; and forty years later the first Danish invasions began the destruction of civilized life in northern England. Similarly in Ireland the advancement of civilized life was interrupted by invasions of pagan Danes and Norsemen in the early ninth century, as described above. So, in earlier times, the civilization of Italy, Gaul and Spain would have been destroyed by kings and warriors, if some of them had not been induced by the bishops to protect, even for their own advantage, a part of the population against external attack. Even the change of barbarian raiders into rulers settled upon the land was due to the influence at first of the Roman Empire and afterwards of the Roman Church. It was easy enough for armed men to raid the cities and the countryside and to carry off captives and gold; but these same raiders soon found it necessary to learn the art of government, at least for the sake of retaining their ill-gotten gains.

<sup>1</sup> Bede, *H.E.*, v, 33, in fine.

<sup>2</sup> *Ibid.*, Ep. Egbert, c. 11, "quod enim turpe est dicere, tot sub nomine monasteriorum loca hii qui monachicæ vitæ parum prorsus sunt expertes in suam dicionem acceperunt . . . ut omnino desit locus ubi filii nobilium aut emeritorum militum possessionem accipere possunt.

And of this art of government they brought with them from the forests and marshes of Germany or the coasts of Norway and Denmark little or nothing. They had, in fact, to learn the art at first from Roman civilians such as Ico and Cassiodorus; and later, when all those trained in the imperial service were dead, the barbarians were compelled to depend on the bishops. Indeed, it is difficult to see what the barbarian kings and warriors contributed to the later civilization of the Middle Ages, except as instruments of a policy not their own. Whenever the kings depended on the bishops, civilization advanced; and wherever the bishops depended on the kings civilization was cramped into a military system.

### *The Wealth of the Church*

On the other hand, the maintenance of the tradition of civilized life by the Church in a barbarous age involved all moral authority in new difficulties. The kings and warriors had wealth and power. The bishops desired to use the kings and other lords for the good of their people; and the more persuasive the bishops became, the more generous their barbarian pupils showed themselves in bestowing wealth and power upon Churches and monasteries. Thus, by the middle of the eighth century the great monasteries and the holders of episcopal Sees owned or controlled large areas of land and considerable other wealth. The influence of the Church was certainly not only spiritual. It had a very present temporal power in all the kingdoms of western Europe from Italy to northern Britain and Ireland, and from Bavaria to Spain. The possession of wealth and power gave to the bishops and the abbots immense opportunities for "doing good." But here is the dilemma. As soon as any man or body of men obtains wealth and power, their policy tends to be dominated rather by the effort to keep what they have than to use it. Even a saintly man may easily persuade himself that it is better that he, rather than another, should control great wealth. Salvian himself in the fifth century, who inveighed against the wealthy, was concerned to secure wealth for the monasteries. So also in the eighth century bishops and abbots were not unwilling to accept more and more wealth from barbarian kings and warriors.



And under Charles Martel, as has been shown above, the Churches of Gaul were sufficiently wealthy to provide loot for a king with ravenous followers. The more saintly bishops of the eighth century were aware of the moral problem to which this situation gave rise. St. Boniface, for example, wrote to Daniel, bishop of Winchester, for advice on precisely this point of difficulty for all who desire to use wealth and power for the benefit of others. "Without the patronage," he says, "of the king of the Franks, I cannot control the members of the Church nor defend priests or clergy, monks or nuns. Nor can I without the king's authority and power suppress pagan rites and idolatry in Germany. But when for these reasons I seek such assistance, I cannot possibly escape communication with those whom, according to the canons, I ought to avoid. I fear my preaching will suffer, if I do not approach the king of the Franks."<sup>1</sup> The bishop of Winchester replied, recognizing the danger, but, with many quotations from the Bible and the commentaries of St. Augustine and St. Jerome, he argued that the good man must not avoid the danger. He must use those in power so far as he can without destroying his own intention to do good, "and if you are accused by anyone of deceit or of some trickery because of this acquiescence in the established order, we read that sometimes pretence is useful and must be adopted."<sup>2</sup>

The effort to retain and increase wealth and power was natural enough among bishops and other churchmen and the purpose they had in view—their hope of using such wealth—excused their absorption in the desire to retain it. But it was a dangerous situation, and in fact throughout the Middle Ages the Church was cursed by "great possessions."

There was another difficulty. As soon as bishoprics involved the control of great wealth, men of a new type strove to be bishops. Although wealth and power are in theory only means to be used for ends beyond themselves, in practice many men of great ability

<sup>1</sup> Boniface, Ep. 63, *MGH* (A.D. 742-746)

<sup>2</sup> *Ibid.*, Ep. 64, "legimus quod utilis simulatio ad emendanda et in tempore." It is amusing to note that this is the argument of Symmachus, in the fourth century, against the suppression of pagan rites. See Chapter II, p. 70, "dissimulatio proximorum."

in every age are more concerned with obtaining wealth and power than with using them. A man to preserve control of wealth and power requires much energy and some ability—and every institution by which wealth is controlled produces men and women whose chief interest is the preservation and increase of that wealth. The bishops and the abbots of the sixth, seventh and eighth centuries in western Europe were in practice, administrators of large estates from which they did not hesitate to derive some advantage for themselves and for the clerical caste to which they belonged. It was easy for men in control of the wealth of the Churches to persuade themselves that the maintenance of their own prestige in the building of churches and monasteries was for the glory of God. Christ's poverty in the greater monasteries soon became considerably richer than the majority of their neighbours. And the simple bishops of early days to which Gregory of Tours refers in his *History*, soon developed into missions rivaling those of great landowners and kings. The Church had sought or accepted wealth and power as a means for directing the social forces of the time towards civilized life and Christianity, as it was then understood. But wealth and power, once obtained, quickly corrupted the institutions which had begun in protest against the desire to accumulate wealth and to seek power. Abbots and bishops were rich men, and most of them no better than other rich men of the time. Spiritual powers, relics and sacraments became sources of wealth—for the glory of God, no doubt, but also for the great advantage of the clergy. Jewelled shrines might excite the worshipper to some form of "devotion", but they were also very useful financially to the keepers of the shrine. The Churches were no longer the simple groups of believers for whom the documents in the New Testament were originally composed.

#### *Influence of the Old Testament*

In the relations between Church and State in western Europe generally, one of the most important factors during the seventh and eighth centuries was the influence of the Old Testament. It has already been noted that in the case of Spain, England and

France, the anointment at the coronation of kings by bishops was based upon practices recorded in the Old Testament. From its earliest years the Christian Church had been deeply influenced by mystical or symbolic interpretation of the Old Testament. In the fifth century the clergy, already tending to separate themselves from the Christian laity, had used the authority of the Old Testament in its description of the position of the Levites. Thus clerics became a tribe or caste set apart. But the social and political systems of the Roman Empire, under which Christianity developed for four centuries, were obviously too unlike any such systems in the Old Testament for the Hebrew tradition to affect the relations of Church and State so long as the imperial system survived. The Roman Empire was a highly civilized widespread organization of law and administration based upon city-organization, utterly unlike the tribal kingships of the Old Testament. And even under the earlier barbarian kingdoms of the Goths, Burgundians and Vandals, the traditions of the Empire survived and were maintained by the Church. When, however, the new barbarians—Franks, Angles and Saxons—who were less influenced by the Roman tradition, established their kingdoms, the social situation was more primitive. Under the Franks and the Anglo-Saxons the relation between rulers and ecclesiastics was like that recorded in the books of *Samuel* and *Kings*. The climate of opinion was that of a tribal agricultural society, continually at war. And some of the established organizations and traditional policies in such a society would naturally receive confirmation and support from books believed to contain God's own directions and decisions. Thus barbarian kingship in Europe acquired additional prestige from the accident that Hebrew chieftains were called in the Latin text of the Old Testament "kings" (*reges*); and the distinction between priests and prophets in the Old Testament gave additional emphasis to the coincidence that in Europe the clergy were different from the monks. It will be remembered that the influence of the books of *Kings* had been feared by Ulfilas, the bishop who converted the Goths in the fourth century, who omitted from his translation of the Bible into Gothic these very books because they might incite to war a people

already inclined to it. The moral standards of a man trained within the Roman Empire were higher than those of the primitive Hebrews. But later in north-western Europe and in Spain the anointing of kings was derived from the Old Testament largely because the custom met the needs of a simpler society in the seventh and eighth centuries. The kings needed moral authority; and they could most easily obtain it through the action of the bishops, while the bishops themselves might hope to restrain or direct the kings by the use of the power expressed in the oil of consecration.

Such passages as these provided the authority for the new system: "Then Samuel took a vial of oil and poured it upon Saul's head and kissed him and said: Is it not because the Lord has anointed thee to be captain over his inheritance?"<sup>1</sup> And again: "All the elders of Israel . . . anointed David king over Israel";<sup>2</sup> and again: Elisha sent one of the children of the prophets "with a box of oil to pour the oil on the head of Jehu and say: Thus saith the Lord: I have anointed thee king over Israel."<sup>3</sup> With such texts before them the monks and the clergy readily adopted the conception that their relation to public Authorities was like that of prophets and priests among the Hebrews. The difficulties of the seventh and eighth centuries in western Europe were not unlike those recorded in the Old Testament. Civil war often occurred in most countries; there was no generally accepted right of succession; there was no established means of recognizing the rightful ruler; and when anyone seized power, in order to hold it he was compelled to seek some means of acquiring also moral authority. The bishops were recognized by the population in Spain and Gaul to have moral authority as a divine gift; and when the Anglo-Saxon peoples became Christian, the bishops among them acquired a similar position. The bishops in Spain and Gaul accepted victorious kings as legitimate rulers; and in England the bishops looked to the kings for support. Divine authority for the connection between bishops and kings was found in the Old Testament; and the methods of expressing that connection were drawn from the same source. Thus kingship came to be the established form of civil authority

<sup>1</sup> 1 Samuel x. 1.

<sup>2</sup> 2 Samuel v. 3.

<sup>3</sup> 2 Kings ix. 3.

as well as of military leadership, through the use of the old Hebrew ceremonial by Christian bishops; and the power which the bishops thus acquired as the recognized sources of some at least of the king's prestige, considerably increased the influence of the Church among the people at large. It had also the effect of making kings and bishops in some way mutually dependent, as against the gatherings of warriors or nobles, who might otherwise treat the king as merely one of themselves. Thus, an anointed king might be more able both to resist his own powerful chieftains and to extend his domains wherever his authority might be regarded as divinely established. The dominant idea, thus almost accidentally arising out of the situation in the eighth century, became a political maxim later on, as in the phrase of king James I of England, "No bishop, no king," and in the devotion of the old Tory party to "Church and king." Obviously a form of absolute or autocratic government, such as monarchy, can survive most easily by appeal to ancient authority; and prestige attaches to all who preserve the ancient forms associated with the possession of power.

The bishops, on their part, derived from the new situation an increased protection which the properties of the Church might obtain from anointed kings. Thus, Pope Stephen wrote in A.D. 754 to Pippin and his two sons: "The Lord, by my humility and the assistance of Peter, anointed you as kings, in order that by your aid his holy Church should be exalted and the Prince of the Apostles receive his due."<sup>1</sup> This is, indeed, an indication of favours expected by the Church at large; for all bishops were aware of the debt owed to the Church by the barbarian kings. By grace of the bishops these ignorant and violent warriors had obtained the moral authority which attaches to civilized government; and it was both just and convenient that the Church should be rewarded.

### *Restriction of Political Development*

The anointment of kings, however, is not the only example of

<sup>1</sup> *Cod. Car.*, vii, ap. Migne, *Pat. Lat.*, 98, col. 110. Ideo vos Dominus, per humilitatem meam, mediante Sancto Petro, unxit in reges, ut per vos sancta sua exaltetur Ecclesia et principes apostolorum suam iustitiam suscipiat.

the influence of the Old Testament in changing the relation between bishops and kings. In the Old Testament, priests and prophets are given a divinely established power and influence in the choice and control of rulers. No such social or political theory is implied in the New Testament, where submission to established authority is the dominant idea; nor when Christianity was first accepted by the rulers of the Roman Empire was there any conception that imperial authority required confirmation or divine sanction from the action of bishops. But in the more primitive situation in the barbarian kingdoms of the North, the warriors and their kings who held power by force of arms, on becoming Christian, lost the prestige attached to them under their old deities, and could derive moral authority to support their military force only from monks and clergy. It was natural, therefore, for the bishops and the abbots, who acted as preachers and prophets, to find in the Old Testament the dominant ideas which established their own position. Thus, the text of the Old Testament became not merely symbolic or prophetic, but also a practical basis for the political and social ideas and customs of the seventh and eighth centuries.

One of the most important results was the restriction of political growth, or actual retrogression in the art of government, which always results from the study of ancient books. This is called "archaism." During the Middle Ages, and even later, it came to be regarded as natural that kingships and kingdoms should be the only legitimate form of government. There is no mention in the Old Testament, nor even in the New, of Republics or Presidents or popular legislative Assemblies. Therefore, all these more highly civilized institutions were regarded as somehow excluded from the divinely appointed systems of government. Thus, for about a thousand years European development in the art of government was hampered or obstructed by the use of biblical authority as the basis for political practice. The effect of the same primitive conceptions of government on the idea of heaven and the "king of heaven" will be discussed elsewhere.

*Military Christianity*

The use of the Old Testament as a source of political ideas also supported the military Christianity of the seventh and eighth and later centuries. The historical books of the Old Testament provided excuses for the appetite of barbarian kings for victory over their enemies. The slaughter of the enemies of the Hebrew people, as commanded by God in the books of *Deuteronomy* and *Joshua*, gave support to the wars of Christian kings against heretics and pagans. Even St. Ambrose, as it was pointed out in an earlier chapter, urged the Emperor Gratian to war as a Christian ruler; but the situation became much worse when every petty king of a barbarian kingdom could treat his particular armed gathering as the instrument of divine authority. Thus, also, Charles the Great was able with a good conscience to slaughter four thousand five hundred Saxon prisoners, as a method of converting the remainder of their tribes to "Christianity."

The Hebrew conception of divine authority for the use of war was also to be found in the New Testament. Even in heaven war had been waged; and the rebel angels had been defeated by the celestial Powers—thus showing that war was in the nature of things. It was written in the book of *Revelation* (xii. 7)—"There was war in heaven: Michael and his angels fought against the dragon: and the dragon fought and his angels, and prevailed not."<sup>1</sup> And St. Augustine in the *City of God* had discussed the position of the defeated angels before and after the battle.<sup>2</sup> Thus the statements of the Bible, taken in their obvious sense, supported the use of war by Christian kings.

The general passion for warlike adventures naturally affected even the clergy; and bishops and priests went out with armour and weapons to slaughter enemies. But the canons of the Church always forbade this. Great bishops, such as Boniface, resolutely opposed the bearing of arms by the clergy, and were able to per-

<sup>1</sup> So in *Jude*, 6: "the angels which kept not their first estate, he hath reserved in everlasting chains and darkness."

<sup>2</sup> Augustine, *De Civitate Dei*, xi, 13. Unfortunately the Middle Ages had not the advantage of Milton's description of the battle in heaven, with guns and other modern weapons. *Paradise Regained*, vi, 572 sq.

suade even the kings of the Franks to issue decrees forbidding the clergy to bear arms or to accompany armed forces, except as chaplains or for the saying of the Mass.<sup>1</sup> Thus, Carloman, then Chief of the Palace, who calls himself "dux et princeps Francorum," in the year 742 or 743 decreed: "We forbid the clergy to carry arms or to fight or to march against the enemy, except only those who are chosen for Divine Service, that is, to say Mass and carry the relics of the saints; thus, the general (*princeps*) may have one or two bishops with priests as chaplains, and each section-leader (*prefectus*) one priest who may hear confessions and assign the penance." In spite of the influence of the Old Testament, therefore, supporting the barbarian delight in warfare, the Church attempted to control, in the spirit of the New Testament, the majority of its clergy. It must not, however, be imagined that the clergy were believed to be useless in war. They were expected to assist in obtaining victory by specially effectual prayers, by rituals and the use of relics. As Clovis had been frightened at Saragossa by the tunic of St. Vincent—as the Ark of the Covenant had helped to destroy the walls of Jericho<sup>2</sup>—so the cloak (*cappa*) of St. Martin, carried into battle by the "chaplains" (*capellani*), was believed to bring the celestial Powers to the assistance of the Franks.

### *Old Testament Influence on Law*

Again, probably the influence of the Old Testament in the uncritical reading of the Mosaic law, had an effect in establishing the idea that law could be announced from above by a king. As it will be shown in the next chapter, the earliest barbarian laws consist chiefly of statements of payments to be made in compensation for theft or violence. These are merely attempts to put upon record certain prevailing customs. But about the middle of the eighth century the kings of the Franks began to issue decrees (*capitularia*), which bear all the marks of a claim to absolute authority. The

<sup>1</sup> Boniface, Ep. 56, *M.G.H.* "Cum capellanis presbiteris." The capellani are those in charge of the capa or capella, the cloak of St. Martin, which the Frankish kings kept at their headquarters.

<sup>2</sup> *Joshua*, vi, 6 sq., "Take up the Ark of the Covenant and let seven priests bear seven trumpets before the Ark of the Lord."



conception of law as the expression, first, of a Divine Will and, secondly, of the will of a divinely appointed Authority, was evidently influenced by the Old Testament, although the Roman Dictatorship had also included the conception of law as the will of the ruler. In both traditions Oriental Monarchy is assumed to be the ideal government, established in heaven and copied on earth by true believers.

But the influence of the Old Testament upon the position of European kings extended even to the forms of speech. Thus the treatment of barbarian kings as the Lord's Anointed, as in the canons of the Council of Toledo, was in harmony with the habits of the courtiers of Charles the Great when they called him either David or Solomon. David was taken as the type of a warrior-king and Solomon of a wise judge. And perhaps their calling Charles by the names of two Hebrew kings, besides attributing to him victory and wisdom, may also have had some playful reference to the remarkable vigour of his sexual impulse.

### *Sabbatarianism*

Another effect of the Old Testament was the Sabbatarianism expressed in some of the decrees of the Frankish kings. They apply the rules of ancient Hebrew custom to the life of the Christian people on Sundays. A prehistoric ritual avoidance of certain forms of labour was applied to conditions in north-western Europe in the eighth century—which shows how literally certain sections of the Old Testament were understood. At the very end of the sixth century, Gregory of Tours writes that because all "public work" was not stopped on Sundays, fire from heaven did damage at Limoges.<sup>1</sup> But the devout might go further. A nun repented of having washed her hair on a Saturday.<sup>2</sup> The danger, in any case, was great on Sunday night; for to procreate a child "on that night might produce a cripple or an epileptic or a leper."<sup>3</sup> The Sabbath was evidently protected by uncanny or magical influences. The fear

<sup>1</sup> Greg. Tur., *H.F.*, x, 30: "ne fiat in eo omne opus publicum."

<sup>2</sup> Ibid., *Gloria Conf.*, 5.

<sup>3</sup> Ibid., *Vita S. Martini*, ii, 24: "Qui in ea (die) coniuges simul convenerint, exinde aut contracti aut epileptici aut leprosi filii nascuntur."

of the anger of celestial Powers no doubt supported the prohibitions of the civil law, for example in the Capitularies and in the *Lex Alamannorum* (Tit. 38).<sup>1</sup>

### *Iconoclasm*

Agam, Charles the Great supported the opposition to the use of pictures and statues in the churches. This was an episode in the great iconoclastic controversy, which will be discussed in a later chapter. The hostility of the Frankish king to the use of images may have been only a part of his general policy of opposition to the Roman Empire, whose reigning Empress at the time favoured images; or it may have been due to the influence of Mohammedanism. But in any case it was partly due to the condemnation of "graven images" in the Old Testament; and it led Charles the Great into implied criticism of the Pope and the Roman Church.<sup>2</sup>

### *Bishops and Kings in Theory*

No general theory of Church and State had yet arisen at the end of the eighth century to excuse or justify the actual position. But one book of great influence set out the duties of bishops. This is the *Book of the Pastoral Rule*, by Pope Gregory the Great, written at the end of the sixth century for John, bishop of Ravenna. A copy was sent by the author to Leander, archbishop of Seville. It was circulated in Spain and, in a Greek translation, in the East. It was recognized as authoritative by councils held under Charles the Great in A.D. 813, and a copy seems to have been given to bishops at their consecration. King Alfred translated it under the title of "Shepherds' Book"; and throughout the Middle Ages it was regarded as a guide to the duties of a bishop. The moral standards expressed in it will be discussed elsewhere. Here it is necessary only to note that the chief function of a bishop is conceived to be the government of souls (*regimen animarum*), and that this consists largely in preaching or personal exhortation. Among the faithful to be directed to virtue by the bishop, are those holding public

<sup>1</sup> Provision for Sunday rest against "opera servilia."

<sup>2</sup> See below, Chapter XI, p. 597.

authority; but Gregory hesitates to recommend any criticism of rulers. He refers to the book of *Kings* and says: "The acts of rulers are not to be attacked with the sword of the mouth, even when they are rightly considered worthy of blame, . . . for when we offend against those in authority, we oppose the ordering of him who put them over us. . . ."<sup>1</sup> This is the old doctrine of acquiescence expressed in the New Testament. But obviously the Pope and other bishops would not hesitate to threaten kings either by the use of relics or with the danger of hell. The material or "temporal" cares of a bishop are touched upon; but their nature and extent were sufficiently well known to need no description. The author, therefore, confines himself to saying that the mind of the bishop should not be altogether immersed in such cares. He warns the bishop, however, against the neglect of secular business (*secularia negotia*), saying that "those who neglect entirely the care of bodily needs, do not at all assist those whom they govern. Their preaching is naturally disregarded because, while they correct sinners, they do nothing to help them in the necessities of life."<sup>2</sup> Pope Gregory designed his book as a sermon or exhortation to bishops; and it cannot, therefore, be taken as expressing a general theory of their position in society. But it must have had a great effect in helping to maintain the fundamental idea of the bishop as representative of the teaching Church.

On kingship there is no treatise between that of Synesius and the book *On the Kingly Way*, by the Abbot Smaragdus, in the middle of the ninth century. But canons and official correspondence of the seventh and eighth centuries sufficiently indicate what were the generally accepted opinions concerning the duties and functions of a king; and as the great majority of kings and their non-clerical councillors could not read, it was hardly necessary to produce a treatise for them. It has been already noted that anointment and crowning by bishops gave the king not only moral authority, but also a sacerdotal character. This had both advantages and disadvantages for the clergy. It had effects upon the conception of Christ as a king and judge; and that conception again reacted upon the

<sup>1</sup> Greg. M., *Reg. Past.*, iii, 4.

<sup>2</sup> *Ibid.*, ii, 7.

actual status of kings throughout the Middle Ages. Christ was a king; but no one ever called him a bishop or a pope. And the actual king in any kingdom, having acquired some sacredness, was easily conceived to unite in his person supreme authority both in civil and in ecclesiastical affairs. It is true that in earlier times it had been a commonplace of ecclesiastical authorities that Christ alone, following Melchizedek, was both king and priest.<sup>1</sup> And after the establishment of the "Temporal Power" in the ninth century, the Popes themselves claimed both civil and ecclesiastical authority. But in the time of transition for the kingship during the seventh and eighth centuries, kings in western Europe undoubtedly were given by anointment some ecclesiastical authority. Such authority was also implied in the position of the Christian Emperors, who had not been anointed but were accepted as presidents of ecclesiastical councils. The memory of the position of the Roman Emperor in the minds of the bishops of the seventh and eighth centuries, who had read Augustine and Gregory the Great, assisted their tendency to exalt barbarian kings. But medieval kingship was not due only to memories of Roman military dictatorships. It was also due, as it has been shown above, to the later historical books in the Old Testament.

Clearly, the form of government in the Roman Empire and in the new barbarian kingdoms, believed to be divinely established, and therefore having moral authority, was military despotism. In the old barbarian tradition the king was chiefly a leader in war. This remained as an element in Christian kingship. But the earlier barbarian kings had been leaders elected by a comradeship (*Comitatus*) of warriors or counts (*comites*); and these warriors, therefore, had some control over the king. Such control might lead to anarchy when the electors disagreed, as it had in Spain. But the "sacring" of a king by bishops made him, if not absolute, at least more independent of his warriors. Thus, the Church promoted autocracy or despotism, which was further supported in later ages by the theory of divine right.

<sup>1</sup> As it is argued in *Hebrews* (chapter vii) which, however (in verse 11), seems to argue that the Levite's position was out of date.

One further aspect of the theory of kingship separates it from the more primitive form of barbarian leadership. The king, like Christ, is the supreme judge. He is regarded, first, as the person who formulates ancient customs as in the collection and publication of the barbarian laws; and, secondly, in the eighth and later centuries, as the source of new laws and decrees. But his most important non-military function is that of deciding, according to some law, between disputants, or in cases of offence against his rule. All this, however, will become clearer from a consideration of the laws prevailing in western Europe after the fifth century. This will be discussed in the next chapter.

### *Separation of the Clergy*

The effect of the new social situation upon the position of the bishops and the rest of the clergy, was the establishment of the distinct clerical caste which was peculiar to the First Europe. In the general decline of knowledge and skill during the seventh and eighth centuries, the beliefs and practices of Christianity were affected by the surrounding barbarism. Even among devout and intelligent men the standards of credibility in what might be believed and the moral standard directing conduct were reduced to lower levels. Quite apart from the vicious and self-seeking bishops and abbots, who can hardly be called Christian in any sense of that frequently misused word, the best men and women in the clergy and the laity retained a simplicity of mind which, if not barbaric, was childish. And as morals declined, magic increased its influence. Thus, the clergy who had been, in the early years of Christianity, only elected officials, acquired the status of magic-workers, or controllers of magical instruments for health or salvation. The kissing of a reliquary containing the bones or clothing of a saint or a piece of the "true cross" was used both for the cure of disease and in order to secure God's punishment for perjury. The clergy, among whom must be reckoned a great number of the monks, as controllers and directors of this system of belief, were more and more separated from other Christians not possessing such powers. The further segregation of a clerical caste by enforced

celibacy had not yet been completed by the ninth century; and it never occurred at all in the eastern Churches. But even in the seventh and eighth centuries in western Europe, the clergy were generally felt to form a distinct class of society, having specially intimate connections with God and the Saints. This segregation of the clergy was promoted by the almost accidental continuance of a special form of language and a special fashion of dress. Instead of translating ritual formulas and the Sacred Scriptures into the new dialects of the barbarian kingdoms, as they had been translated in earlier times from Greek into Latin, the Latin language was preserved as the sacred language of the Churches. This naturally supported the tendency to regard the clergy, who used Latin, as a separate caste. Again, what was later known as clerical costume, both in the streets and at the ceremonies of the Church, first began clearly to separate the clergy from the laity in the eighth century. As it has been noted in an earlier chapter, the Christian clergy of the fifth and sixth centuries, even in ritual ceremonies, used the ordinary fashions of dress in the Roman Empire. These fashions were continued when the establishment of the barbarian kingdoms led to the increasing use of such non-Roman garments as the short cloak and trousers. But they were at first the fashions of the upper classes among the Romanized population; and in the seventh century they had become the distinguishing marks of the "Roman" as contrasted with the barbarian. By the eighth century "sacred vestments" had begun to be used; that is to say, the old Roman fashions of the sixth century were preserved by the clergy for ritual or liturgical uses. The Roman white shirt (*tunica alba*) became the "alb"; the sixth-century cloak (*casula*) became the "chasuble," and the overcoat (*cappa*) became the "cope"; the scarf (*stola*) became a "stole"; and the handkerchief carried on the arm (*map-pula*) became the "maniple." The priest in a religious ceremony was thus thoroughly separated from the vulgar throng; and writers in the Middle Ages invented the most fantastic significance for vestments which were merely the survival of obsolete fashions.

At the end of the eighth century collections of sacred vestments for Mass and other ceremonies were made in the greater churches

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of the cities and abbeys. Two interesting lists of such vestments, of many colours and materials, are to be found in the history of the abbey of St. Wandrille, which will be referred to in a later chapter. The delight in the simpler forms of drama in the early Middle Ages, which produced eventually the miracle-plays and mystery-plays, is to be observed in the processions and the elaborate ceremonies which gave the clergy opportunities for the use of vestments. And this tended more and more to separate the Christian community within the walls of its church into a select body of clergy, later concealed behind a screen, and the laity who were excluded from the election or control of those who had Holy Orders or even the tonsure. The external signs of a sacred caste supported the exceptional position of the clergy in law, in what later became "benefit of clergy"; and medievalism thus injected the traditions of barbarism into Christendom.

Another great change which had occurred between the fifth and the ninth century was the separation within the clerical caste of the higher ranks from the lower. The Orders of the medieval Church were even more exactly divided than those of the old Roman "honours" in the *cursus honorum* through which a Roman gentleman used to increase his social status. And the sharpest distinction of all was made between the bishops, who had complete control of the doctrine and discipline of Christendom, and the lower clergy. Costume assisted to express the distinction. The mitre and the pastoral staff were the signs of ecclesiastical power; and although the mitre was used in some instances by the abbots of the greater monasteries, it remained the symbol of control over ecclesiastical policy by the bishops.

## CHAPTER VIII

### LAWS AND CANONS

The concentrations of social power which were gradually established in western Europe from the fifth to the eighth century are expressed in the laws of those times. Two systems of law were developed. On the one hand the Civil Law, beginning with the single system of Roman Law, which covered the whole Roman Empire, ended with the development of the barbarian laws of the new kingdoms. On the other hand, synods or councils of bishops agreed upon canons or ecclesiastical laws, which began as local or regional regulations and were gradually assimilated so as to form one body of "canon law" for the whole Western Church.<sup>1</sup> In the histories of these two kinds of law, therefore, may be traced the beginnings of the medieval systems of jurisdiction. In civil government the "State" at the beginning of the fifth century was a single system covering the whole European world; but by the end of the seventh century civil government had been divided and localized, so that many separate "States," each with its own laws and customs, had been established.<sup>2</sup>

The history of ecclesiastical regulations in the West follows a contrary course. The canons of the Churches in the different districts were at first the results of local legislation by the bishops for meeting local difficulties, although from the earliest times one synod might adopt the statements of doctrine and custom already adopted by other synods. The canons of the General Councils of the fourth, fifth and sixth centuries were all eastern in origin; and

<sup>1</sup> The phrase "canon law" is presumably a translation of "*ius canonicum*" or "justice in the canons." "Canon law" would otherwise mean "law law" or "rule law," which is absurd.

<sup>2</sup> The use of the word "State," in its modern meaning, is somewhat misleading, if applied without qualification to the Roman *Respublica* or the medieval *Regnum*.



did not at first displace the canons of local or regional synods in the West. As time went on, however, the centralization of authority in the West under the bishop of Rome caused collections of canons to be made, which were regarded as binding upon all the Churches.

Another difference between the two kinds of law, civil and ecclesiastical, lay in the methods by which the law was established. At the beginning of the fifth century Roman Law was regarded as the expression of the will of the Emperor. He might refer to men learned in the traditional customs or to councillors who were able to give skilled advice. But new laws proceeded, in fact, from the Emperor alone. This is the essence of military dictatorship. This is the source of that principle which has had such disastrous consequences—"Whatever the Prince wills has the force of law," usually quoted without the reason given in Roman Law, namely, that "the people gave the power to the Prince."<sup>1</sup> Law is thus conceived as the expression of an arbitrary, if also benevolent personal will. One effect of this conception of law is to be seen in the theory of the "divine" law, which dominated the Middle Ages, and even in the theory of "natural" law, as an expression of "will" or purpose, which was accepted by deists, such as Newton, in the seventeenth century. The conception of law as the basis of the moral life and of the "order of nature" clearly did not originate in the Roman Law. But Roman Law in the fifth century, especially as expressed in the Theodosian law-books, confirmed and made much more definite the conception of a celestial law-giver whose personal will was the source and only basis of the "commands" followed by good men and by the heavenly bodies. Thus the real dictator of an Empire whose inhabitants believed that it covered the whole habitable world, became the model for an ideal dictator in the skies. But the strange effects of the Roman Empire upon the conception of the universe will be discussed elsewhere.

In the Roman Law of the fifth century the Emperor was also regarded as the supreme judge. The final appeal in all cases was made to him; and his providence and clemency were assumed to

<sup>1</sup> In Justinian's *Institutes* (i, 2, 6), *quod principi placuit, legis habet vigorem, cum . . . populus ei . . . potestatem concessit*. And a similar reason in Gaius, *Instit.*, i, 5, *cum ipse imperator per legem imperium accipiat*.

extend to the least of his subjects. The kings of the barbarian kingdoms which eventually took the place of the Roman Empire in the West, inherited from the Roman Law as well as from barbarian custom the conception of the king as the supreme judge. The king's Court of Law, therefore, became the ultimate Court of Appeal in the new kingdoms. And in the heavens also the law-giver became also the final judge. The climate of opinion favoured dictatorship as the only possible form of authority.

The decrees of the Emperor as lawgiver in the fifth century had a further effect in the eighth and ninth centuries, when the kings of the Franks issued their Capitularies. The barbarian tradition in most of the new kingdoms implied that the king collected and stated the law, drawn from traditional custom; and for evidence of this custom the king would normally depend upon the advice of his council. But for some years at the end of the eighth and beginning of the ninth centuries the Frankish monarchs issued decrees in the manner of the Roman Emperor. These decrees were, in fact, entirely different in character from the decrees of an Emperor; but they serve as an example of the way in which each of the early rulers of the Frankish kingdom attempted to play the part of an Augustus. They never understood the part they played; but they really believed that the will of the king made law.

Civil law in the same period, however, also included statements of custom among the different barbarian tribes, such as the laws of the Visigoths, the Salic Law, the Law of the Alamanni and of the Lombards, and the earlier Anglo-Saxon Laws. All these laws were definitely intended to refer only to persons of a particular race, living in a particular locality. They were local and tribal; and most of them did not survive the change in the social situation when the barbarians, for whom they were intended, became more civilized. But they stand in one class with the great body of Roman Law as expressions of the concentration of power and moral authority in what is now called the State.

From the fifth to the ninth century, however, in every country of western Europe, except England, Roman Law and the barbarian laws were the laws not of territories but of races. That is to say, in

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any one barbarian kingdom the earlier inhabitants would be judged in accordance with Roman Laws; and their barbarian conquerors, settled among them, would be judged in accordance with the laws of their own tribe. Thus, for some centuries after the disappearance of the Roman Empire in western Europe, two forms of social regulation existed in the same area; and in cities in which men of different races and tribes were living, several distinct systems of law might be applied. The conception that a person should be judged in accordance with the legal rules to which men of his language or race were accustomed, survived into modern times in the capitulations in Turkey and Egypt and in the extra-territorial rights of Europeans in China. Jurisdiction based upon race and not upon neighbourhood obviously weakens the power of a Government. But from the fifth to the ninth century in western Europe no other practice was possible. The barbarian kingdoms were not genuinely national. They were merely armed bands in control of alien populations; and therefore the conquerors, who were primitive warriors, kept their own primitive legal customs and were compelled to permit the more civilized population over whom they ruled to use their own more highly developed legal system. The barbarian laws did not contain adequate rules for application to the more complex disputes of a population accustomed to trade, property rights and rules of inheritance. It was necessary, therefore, for the two systems, Roman and barbarian, to amalgamate, or for one of them to disappear, before civil jurisdiction could be based upon neighbourhood or territory, as it is now.

In the formation of the new barbarian kingdoms the king might find under his authority not only persons accustomed to Roman Law but members of other barbarian tribes besides his own. And as one barbarian king extended his dominion over areas hitherto ruled by others, the number of personal laws in any city or district might increase. Thus Pippin, the Frankish leader, when he drove out the Mohammedans from Narbonne in A.D. 759, allowed the Visigoths of that area to continue living according to their own law.<sup>1</sup> And in the capitulary dealing with Aquitaine it is decreed

<sup>1</sup> *Chron. Moiss.*

that persons of that district shall live, each under his own law. Indeed, the process of dividing up communities according to race or tradition did not cease even when the Empire of Charles the Great was established. One of the effects of the new claims made by Charles the Great after A.D. 810 was that Roman Law ceased to be territorial anywhere. And it was many centuries before Roman Law came to be recognized as "Kaiserrecht."<sup>1</sup> Throughout these centuries the Church "lived Roman Law;" that is to say, this law covered not only the clergy, but also their dependants, at least in the areas where it had been the law of the majority of the population.<sup>2</sup>

The inconvenience, and indeed absurdity, of maintaining separate laws for neighbours in the same community, who belonged to different races, was recognized generally. But the clearest expression of the difficulty is in the words of Agobard, bishop of Lyons, where he says that five men might meet in a room, each of whom would be judged by a different law.<sup>3</sup> Agobard wrote as follows to the Emperor Louis the Pious: "If the Lord has suffered that we should be made one in Christ . . . I ask you if the unity of such a divine act is not obstructed by so great a diversity of laws, not only in single districts or cities, but even in many houses. For it often happens that five men come and sit together and not one of them has a law in common with the other in external and transitory things, although they are bound by the one law in Christ within them in eternal things. And although perhaps it happens that all are truly Christians, loving the truth of faith and trusting each other as brethren, and none of them despises the other's word when they are in good conversation—nevertheless, if it should suddenly happen that one of them has a dispute in the courts, none can have as witness any of his dearest friends with whom he keeps company, because the testimony of anyone is not acceptable under the law of Gundobad—and so on." Thus even in the ninth century

<sup>1</sup> Pollock and Maitland, *History of English Law*, p. 14.

<sup>2</sup> It seems probable that a cleric could claim to be judged as an individual, according to the law of his "nation" or race; but as a holder of Church property, he would be judged, as "the Church" lived, according to Roman Law.

<sup>3</sup> Agobard, *M.P.L.*, 104, col. 116. *Adversus Legem Gundobadi*, c. iv.

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"personal" law survived within the Frankish dominions and was felt to be obstructive to the processes of justice.

On the other hand, the canons of the synods of bishops, in the different provinces of the kingdoms, derived their authority from the ecclesiastical power of the bishops, who remained, in theory at least, elected representatives of the whole body of Christians in the Churches. Thus the canons of the Church in the earlier years of Christianity were more nearly "democratic," in the modern sense of the word, than the civil law. Again, the canons were originally concerned with regulating the life of a voluntary association of those who professed Christianity in a world in which great numbers were still not Christian. The canons of any synod or council covered two subjects: first, the doctrines which should be professed by all members of the Church; and secondly, the rules of morality or custom which should govern all Christians and, in particular, the clergy. In both cases the canons were derived from the tradition of the Church, which was to be found by the bishops either in written texts of the Bible and the early Fathers or in the acknowledged practice of the Church in an earlier age. Thus the canons were neither decrees of a single dictator, nor were they, like the barbarian laws, merely statements of primitive custom. The earliest canons belong, indeed, to a time when the Christians in any one locality were still to be distinguished from a large surrounding population of non-Christians. They were, therefore, rules of belief and custom for a small, select community whose officials were of minor importance. But as the number of Christians increased, the canons of the Church obviously had to include reference to a much larger number of persons, much less strict in their understanding of what the profession of Christianity involved; and at the same time the officials of this larger community attained a greater importance. Thus the canons of the different Churches began to deal in greater detail with the rules for the clergy and to say less about the laity. As the Church became more and more identified with its officials, the clergy, so the canons came more and more to be regarded as principally regulations for the clergy.

*Roman Law*

This is not the place to discuss Roman Law in general; but some of its characteristics should be noted, which are of importance both in contrast with the characteristics of the barbarian laws and because of its effect in the Middle Ages. Roman Law in general, including both principles and regulations more extensive than those of the Theodosian law-books, covered most of the relations of a complex civilized society. In public law and in private law the Roman system implied an elaborate organization of government, trade and commerce, manufacture and production. Therefore jurisdiction under the Roman Law affected such social relations as those of marriage, inheritance, property, contract, personal dependence, either of slaves or workers or tenants, commerce and civil rights. But a system including all this could not fail to appear to belong to an entirely different world from that of the simple barbarian laws of compensation for personal injury or theft. The Roman Law, even when imperfectly recorded and hardly remembered, seemed to have that universality and eternity which the men of the early Middle Ages believed to be divine.

Again, Roman Law taken as a whole was an organized system of social customs, thought out through many generations and connected, in the work of the great jurists, with general principles. There is nothing comparable to this either in the barbarian laws or the capitularies of Frankish kings, or even in the collections of canons of the Church. Further, Roman Law assumes what would now be called territorial jurisdiction, that is to say, it applies to all the subjects of a single system of government; and although in the fourth and fifth centuries certain privileges were given, for example, to the clergy, the law is never conceived as having reference only to persons of a particular race, language or religion. After the establishment of the barbarian kingdoms in western Europe in the fifth century, Roman Law did indeed become the law of a distinct and separate section of the king's subjects. By its side in the same kingdom existed other laws applicable to persons of the invading barbarian races. The "Romans" to whom the Roman Law still applied, were members of the more civilized communities over

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which the barbarians ruled. But to reduce the range of Roman Law in this manner was to disregard the assumption on which the law itself was based.

Less important than these characteristics, but significant in the development of the First Europe, was the fact that the Latin of the Roman Law was the common language of the majority of the inhabitants in all the barbarian kingdoms of the West except those of England. The institutions, therefore, of the new barbarian kingdoms in Gaul, Spain, Italy and western Germany, grew up within communities which used some form of Latin in their daily intercourse, their commerce and their religious practices; and this explains the fact that the barbarian laws in western Europe were first written down in Latin. In England, on the other hand, the social institutions of the Anglo-Saxons developed for about a century before the influence of the Latin Churches began to be felt there. The earliest English laws, therefore, were written down in different forms of English. This fact alone would have made it possible for the law of England, arising out of tribal or local customs, to develop freely, without being encumbered by the Latin either of the canons of the Church or of the records of the barbarian laws in western Europe.

Finally, the Roman Law, especially after it had ceased to develop, appeared to the clergy and the rulers of the sixth, seventh and eighth centuries as something fixed and immutable, like the so-called "law" of the heavens, which was supposed to govern the stars. There was no historical knowledge at that time or even in the eleventh century, when the Roman Law was rediscovered, which would show that Roman, like any other law, was the product of particular times and places and social circumstances. The principles of Roman Law had, indeed, a more extensive application than those of any other system then known; but these principles were themselves derived from the experience of a particular community based upon slavery and extended by military conquest. The principles of Roman Law were not universally applicable, as the "whole world" (*orbis*) of the Roman Empire and of the Middle Ages was not in fact a world which included the Indians or the

Chinese. What was "catholic" or universal in the minds of St. Augustine, Gregory the Great and Charles the Great, was only a local system of beliefs and practices, which had grown up in the countries round the Mediterranean. But by contrast with the simpler and still more restricted local customs of the different Germanic tribes, the Roman Law appeared to be universal and eternal. Hence the illusion which has cursed the thinking of the Middle Ages and even of later times—the illusion of a single and unchanging law applicable to all peoples in all times and at all places. Just as the city of Rome was believed to be eternal in the fifth century, and even when it was destroyed continued to be eternal as a ghost in men's minds, so the Roman Law, when it was dead, continued to haunt the minds of scholars as if it contained the fundamental principles governing all human intercourse. The same illusion, that there is an eternal "divine" law, affected the understanding of the "Mosaic" Decalogue, which was a product of local difficulties in a Semitic tribal society. And about the end of the fourth century a document was produced—the *Collatio Legum Mosaicarum et Romanarum*—which attempts to show that the same principles are involved in the Decalogue, on the one hand, and on the other, in the opinions of Roman jurists and the rescripts of Roman Emperors. The historian, however, cannot admit that there is any law whose character is not determined by the social system in which it arose.

### *The Codex Theodosianus*

The Roman Law which dominated western Europe in the fifth century is best represented to-day by the book of laws officially accepted and placed upon "the sacred shelves" in the imperial offices at Ravenna and Constantinople in February A.D. 438. This book of laws, the *Codex Theodosianus*, is in no sense a code. It is a compilation of extracts from the letters and decrees of Emperors from the days of Constantine to the year before that in which it was issued under Theodosius II. The compilation was begun in A.D. 425 and ended in A.D. 437. The oldest decree included belongs to the year A.D. 312 or A.D. 313. The latest decree issued in the



West is of the year A.D. 432; and among those issued in the East the latest is of the year A.D. 437. This compilation or book of laws remained the chief basis for imperial jurisdiction in the East until A.D. 529, under Justinian. But from that date Justinian's law-books, the *Codex*, *Digest* and *Institutes*, displaced the Theodosian law-books in the Roman Empire, which did not then include Britain, Gaul, Spain or the greater part of Italy. So great has been the later influence of the work done under Justinian, that the law-books of Theodosius have been completely eclipsed, in commentaries on Roman Law, by the later work; but until the eleventh century, when Justinian's law-books were introduced by scholars into the West, the influence of Roman Law outside the frontiers of the Byzantine Empire depended mainly upon the use made of the law-books of Theodosius. In this chapter, therefore, which is concerned only with the development of law in western Europe between the fifth and the ninth century, Roman Law is taken as best represented in the *Codex Theodosianus*.

The collection of laws made by the commission under Theodosius was intended to supplement earlier collections already in use. All such collections of imperial letters and decrees were kept in the chief administrative offices of the Empire and were used by lawyers and teachers in the schools of law. But the two chief collections of laws before that of Theodosius appear to have been made by scholars without governmental authority. The first was the Gregorianus of A.D. 295, and the second, the Hermogenianus of A.D. 314. Thus the Government under Theodosius II had only to collect documents issued under Constantine and after. These the Commissioners probably found in collections already used in the East in the Law School at Beyruth and in a western collection probably made at Carthage. All such collections, however, and the more inclusive Theodosian law-books themselves naturally contained only decisions and decrees of general importance. The normal function of the subordinate Roman law-courts must have been to apply a sort of Common Law much more extensive and detailed than anything to be found in the Emperor's edicts. It has been said that there was a "low" law, like "low" Latin—that is to

say, vulgar and customary, not dependent upon texts. The evidence for this is in the land-books and in the few documents which now survive, affecting the ownership or transfer of land.<sup>1</sup>

The Theodosian law-books also imply the use in courts and schools of law of the opinion of Roman jurists and a generally accepted Roman view of the nature of law. Justinian's later collection of documents, indeed, included not only the *Codex*, which in the main is only a rearrangement of the Theodosian, but also the *Digest* containing extracts from the jurists and the *Institutes* or introduction to law. Both the *Digest* and the *Institutes* may be assumed to represent what was already in the minds of lawyers and administrators in the early fifth century. But whereas the Theodosian law-books, at the time they were issued, reflected an actual situation in the Empire in the West as well as in the East, Justinian's collections were out-of-date, in reference to the western world, before they were made. The Justinian law-books were, therefore, merely instances of what has been called "archaism"; and it has been remarked that Justinian himself, when he found it necessary to issue edicts, expressed them in Greek. The Theodosian law-books, on the other hand, used the Latin still dominant in official circles in the fifth century; and they provided the basis of the Roman Law which survived in the new kingdoms of western Europe from the fifth to the ninth centuries. Thus, Latin remained the actual language of law in western Europe, when Greek took its place in the so-called Roman Empire soon after the fourth century. Apart altogether, therefore, from the influence of the Latin used by the western Churches, the Governments in the new western kingdoms found it necessary, in law and administration, to use the different forms of Latin from which French, Italian and Spanish are derived. This is an indication of the different climate of opinion which divided the First Europe from the Greek-speaking population of the eastern Mediterranean, apart altogether from ecclesiastical or doctrinal disputes.

The Theodosian law-books remain the best evidence for the

<sup>1</sup> Brunner, *Rechtsgeschichte des römischen Reichs*, i, 187, referred to in Pollock and Maitland, *History of English Law*.

principles governing the Roman Empire in its last days in the West. The law-books are divided into sixteen sections, of which the first deals with the organization of the legal system of the Empire and the sixteenth (*de fide Catholica*) deals with Christian doctrine, the rights and duties of clergy and monks and the imperial opposition to pagans and heretics. It is worth noting, as a sign of the change in the relations of the Church and the Empire, that in Justinian's law-books, issued about a century later, the sixteenth section of the Theodosian law-books becomes the first section of Justinian's (*de summa Trinitate et de fide Catholica*).

The first book of the Theodosian collection deals with such matters as the validity of imperial decrees, only those dated being valid.<sup>1</sup> Ignorance of the law is not allowed as an excuse (i, 1, 2); a plaintiff may take his suit to the "Christian law" (i, 27, 1); and episcopal jurisdiction is valid for all (i, 27, 2). The fifth section deals with the very important problem of fugitive farmers, tenants and slaves. The imperial Authorities evidently found it difficult to control the desertion of agricultural estates by the cultivators; and the number of provisions against such fugitives is a proof that none of them was effectual. In the ninth section there are decrees which indicate the beginnings of later medieval practices. The Emperor forbids burials at the tombs of Apostles and martyrs, and commands that burials take place outside the city. This is a provision of A.D. 381.<sup>2</sup> Another rescript of A.D. 386 commands that "no one shall transfer a buried body to another place; . . . no one shall divide a martyr's bones and no one trade in them."<sup>3</sup> Then comes the section dealing with the right of sanctuary in churches. Regulations in the fifteenth section concern the water-supply: there must be no stealing for gardens; and other decrees concern actors and public performances. The sixteenth section first defines the Catholic faith, and then regulates the relations of the clergy to public duties and to their bishops. Of monks it is said that they must go into the deserts and not dwell in cities. And the imperial

<sup>1</sup> *Cod. Theod.*, i, 1, a, a rescript of Constantine, A.D. 322.      <sup>2</sup> *Ibid.*, ix, 17, 6.

<sup>3</sup> *Ibid.*, ix, 17, 7. *Humatum corpus nemo ad alterum locum transferat: nemo martyrem distrahat: nemo mercetur.*

decrees then deal with heretics, pagans, pagan sacrifices and temples. A decree of A.D. 423 refers to the "pagans who remain, although we believe that now there are none."<sup>1</sup>

For the purpose of the argument here it is enough to note that the Roman Empire in the Theodosian law-books is completely Christian and Catholic. The decrees suppress paganism and heresy and support the Christian bishops. They indicate a highly centralized system of government, in which public policy depends entirely upon the will of a dictator. The dictator-Emperor takes action and issues instructions to his officials directly, in all parts of his Empire; but his decrees and letters of instruction are based upon the long tradition of Roman Law and Roman administration.

When barbarian kings took control of the different parts of the Empire in the West, the great majority of the population continued to use Roman Law. The barbarian warriors settled within the old frontiers of the Empire were either military forces in control or, in theory, allies of the Emperor. In either case they had always been allowed by the imperial Authorities to live under their own customs and laws. Similarly the barbarian kings supported the use of Roman Law among their "Roman" subjects. Law courts and legal officials of the Roman tradition, therefore, continued to operate in Italy, Gaul and Spain, during the fifth, sixth and seventh centuries; and for the use of the "Roman" population summaries of the imperial law-books were made.

For the Gothic kingdom in Italy under Theodoric the so-called *Edict of Theodoric* was issued about A.D. 500. In that year the king spent six months in Rome; and it seems likely that the edict was prepared at that time. It is a collection of administrative orders or regulations applied both to "barbarians" and "Romans"; and throughout the document the Gothic followers of Theodoric are referred to as "barbarians." The sections are drawn directly from the "Opinions" of the jurist Paulus or from the Theodosian law-books. They begin with regulations about judges, and include regulations about inheritance, the making of wills, and property. The population of Italy is, therefore, treated as a more highly

<sup>1</sup> *Cod. Theod.*, xvi, 10, 22.

civilized community than is implied in the barbarian laws which will be discussed later.

A more important collection of Roman Laws for use in a barbarian kingdom is the *Roman Law of the Visigoths*, which is known as the *Breviarium Alarici*, issued in A.D. 506.<sup>1</sup> This is a summary and rearrangement of certain parts of the Theodosian law-books, together with sections on jurisprudence drawn from the works of Roman lawyers. The *Breviary* was intended for the use of the Roman subjects of the king of the Goths in southern Gaul and Spain; and it became the chief source of the influence of Roman Law in the West from the sixth to the eleventh century, because, as it has been already noted, during the early Middle Ages Justinian's law-books were not used.

Another summary of Roman Law for use in a barbarian kingdom is that known as the *Roman Law of the Burgundians*.<sup>2</sup> This collection was apparently issued about A.D. 503, that is to say, about forty years after the Burgundians had settled in Savoy. It applies only to "Romans" but makes continual reference to their relations with Burgundians. The laws collected are drawn, as in the case of the *Edict of Theodoric*, either from the "Opinions" of Paulus or from the Theodosian law-books. They refer to a settled and civilized agricultural community; for example, public paths are not to be ploughed up, and two years undisturbed use gives the right of property over water or tracks (Tit. xxi); and for light and air there must be ten feet between private dwellings and fifteen feet between public. In one section the Roman Law of divorce by the consent of both parties is recognized, as in the new laws of Theodosius II (*Novellae*, Tit. xii). It is worth noting that this Roman Law is not adopted in the Visigothic *Breviary* of Alaric, perhaps because of ecclesiastical influence. On the other hand, divorce was allowed by one of the new laws of Justinian, issued in A.D. 546, which declares that either a husband or wife has the right to dissolve marriage without the consent of the other party, if he or she desires to enter

<sup>1</sup> The text is in *M.G.H., Leges*, tom. v. The preamble says that the following laws are those "quae barbari Romanique sequi debent."

<sup>2</sup> Text in *M.G.H., Leges*, section 1, tom. ii, part 1 (1882).

the monastic life.<sup>1</sup> Evidently the conception of marriage in the sixth century was being affected by both the Roman tradition of free choice and the Semitic or ecclesiastical conception of an indissoluble bond.

In general, therefore, Roman Law in principle and practice continued to supply the needs of the more civilized majority in the new barbarian kingdoms in the West in the fifth and sixth centuries. The subjects of the kings differed, not only in race and language, but also in the state of development of their social life. This was recognized by the barbarians, who did not desire and perhaps felt unable to replace the Roman tradition of law and administration by anything of their own.

#### *Barbarian Laws*

While the Roman Law of the whole Empire was gradually adapted to the needs of the Roman population under different barbarian kingdoms in the West, the barbarians themselves were learning the value of formulating their own traditional customs. Thus, under the influence of a settled society, and largely through the assistance of the Catholic clergy, collections of barbarian laws began to be made in the middle of the fifth century. These collections include the laws of the Visigoths, the two Frankish collections (the *Salic Law* and the *Ripuarian*), the laws of the Alamanni, of the Bavarians and of the Lombards. All these laws are in Latin, although they contain some words from the Germanic dialects. But the fact that barbarian customs should be first written down in the language of the Church and the subject population, shows how completely the barbarian kingdoms were dependent for their organization, law and government upon the earlier Roman civilization. That was the situation in all the kingdoms established in Italy, Gaul and Spain. It is all the more striking that the earliest formulations of barbarian custom in England in the seventh century were written in English and not in Latin, although in these earliest English Laws there is a clear statement of the dependence of the

<sup>1</sup> *Nov. Justin. Const.* clx, in the Teubner ed., 1881, vol. ii, p. 322. This expression of Justinian's devotion to monasticism was never accepted in the West.

kings upon the bishops. The laws in early English, however, have the same kind of content and imply the same structure of society as the Latin barbarian laws of the Continent.

In general, all the barbarian laws from the fifth to the eighth century express the customs and habits of mind of a very simple agricultural society. All the laws are concerned either with personal violence or with stealing and destruction of property, chiefly cattle. As compared with the older Roman Law, it is noticeable that the barbarian laws are not concerned with the more complex social relations of society, such as contracts, trade, marriage and taxation. Again, all the barbarian laws in their earlier clauses are merely lists of fines or compositions for particular offences. The law runs—"If a man does such an act, he shall pay so much." It is not the command of a superior, nor a prohibition; but merely a rule for compensating the injured party, who, no doubt, at an earlier stage of civilization would have obtained satisfaction for himself. It implies the existence of some form of court or judge. The purpose of the law is to guide the court in the assessment of damages; and the details given in some of the barbarian laws are ridiculously minute; as, for example, in the Salic Law where twenty sections deal only with the theft of pigs. In the sections of the barbarian laws which have been added at later dates provision is made for procedure or payments owing to public Authorities.

The difficulty in discussing all the barbarian laws is that the earliest manuscripts which now exist belong to the ninth century; and therefore it cannot be taken as certain that any provision in any collection is of the date which the text assigns to it. The students or copyists who collected earlier versions of laws, or wrote down what they believed to be primitive customs, certainly did not distinguish between the language or conceptions of different centuries. Again, among the barbarian laws whose text has survived, those which are earliest in date are certainly not the most primitive. For example, the sixth century laws of the Visigoths reflect the situation among a people which had for many years been in close contact with the higher civilization of the Roman Empire, whereas the laws of the Alamanni, apparently collected in the ninth century,

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reflect the much more primitive customs of a tribe almost untouched by Roman influence. In the form of their laws, therefore, the barbarian tribes were more or less civilized in proportion as their contact with the Roman tradition was more or less close. It is true that certain practices, such as the ordeal, were contributed to the European tradition by the barbarians; but these are precisely the practices which were eventually discarded as Europe became more civilized. Indeed, as soon as the new nations of western Europe had attained to a social development which made Roman Law intelligible to them, because it was applicable to their experience, the barbarian laws were discarded. Only in England, because of peculiar circumstances there, has the development of the law had its roots in the barbarian laws of the Anglo-Saxons. Elsewhere, as Latin was the basis of the French, Italian and Spanish languages, so the Roman Law became the basis of "national" laws on the Continent. This, however, was a much later development, after the Middle Ages. The first step from the collection of customs, called barbarian laws, was towards local customary laws of small districts.

### *Laws of the Visigoths*

The earliest collection of barbarian laws was made under the Visigothic king, Euric (A.D. 461-485). As Isidore says, "Under this king the Goths first had their laws written down, for hitherto they were ruled only by manners and customs."<sup>1</sup> A fragment of this first collection has survived; but other collections were made under succeeding kings and eventually an amalgamation of Gothic and Roman laws was made in a book named the *Book of Judgements* (*Liber Judiciorum*). The influence of the bishops, especially in the councils of Toledo, has already been discussed. Even the earliest laws of the Visigoths were written in Latin and, therefore, probably under the influence of the clergy; and the later use of Roman Laws to supply the deficiencies of the Gothic tradition was certainly due to the work of the bishops.

The earliest fragments of Visigothic Law that remain are state-

<sup>1</sup> Isidore, *Hist. Goth.*, xxxv.



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ments of penalties for removing boundaries and rules with regard to fugitives and the sale of slaves. With regard to sales in general the law says, "a sale made by writing shall hold good. Retainers of a private person must return their arms when they transfer their service." Clearly, such laws are merely collections of disconnected statements about simple problems in a primitive society. A century after Euric, King Leovigild (A.D. 568-586) is said to have added to Euric's collection and corrected some of his laws. But the great collection of laws intended to apply to all the subjects of the king, including both the Goths and the Romanized population and the Jews, is contained in the *Book of Judgements* mentioned above.

This book is an important example of an attempt not only to codify traditional laws, Roman and Gothic, but also to provide a kind of legal philosophy or jurisprudence. The first sections, dealing with legal instruments, contain such statements as that law is "for no private advantage but for the common utility of all citizens," and that "law is the soul of the whole body of the people."<sup>1</sup> The second section deals with the legislature and says that God ordained that there should be a head of the State, that no one should abuse or criticize him, and that judges are appointed by the king's authority. The third section deals with marriage, including a decree that harlots are to be flogged with three hundred lashes, and that if they do not change their habits, they must be given to a poor man to remain in his service and not to enter a city. The same section decrees that a man guilty of homosexual practices shall be castrated. This is a provision parallel to that of the sixteenth Council of Toledo, concerning bishops who are guilty of homosexual practices: but offending clergy are condemned only to degradation and exile.<sup>2</sup> Later sections deal with such crimes as torture, theft and fraud, with fugitives and with the right of sanctuary. There are the usual compensations set down for injury to trees and animals. A decree decides on the division of the children of serfs, and between

<sup>1</sup> *Lib. Jud.*, i, 2, 3, "omnium civium utilitate communi . . . Lex est anima totius corporis popularis.

<sup>2</sup> *Mansi*, xii, col. 59 (Concil. Tolet., xvi, A.D. 603), qui . . . contra . . . in turba masculi in masculo hanc turpitudinem operaverint si quidem episcopus, presbyter aut diaconus fuerit de proprii honoris gradu dejectus perpetui exilii manebit damnatione percussus.

mother and father when separated by sales. The eleventh section deals with doctors, who are forbidden to bleed a free woman except in the presence of her father, brother, son or uncle. If a doctor cures catarrh, he is to have five solidi. If he kills or weakens a person by bleeding, the doctor is to pay. The twelfth section contains decrees against oppression of the people by officials and the general decrees of King Ewig (A.D. 683) confirming the canons of the thirteenth Council of Toledo against the Jews.

### *Laws of the Franks*

The laws of the Franks include those of the Salian (Salic Law) and the Riparian tribes, which in their present form, in manuscripts of the eighth or ninth centuries, probably belong to the later years of the sixth century. These laws are much more primitive than the Visigothic. The Salic Law consists almost entirely of a list of payments in money for offences such as violence and theft; but it also includes a few regulations about the marriage of widows, debt, the robbing of tombs and the transfer of property. The simplicity of the law can be seen not only in the payments made for stealing pigs and bees or running away with women and girls, but also in the law which assigns the penalty of six hundred denarii or fifteen solidi if a free man squeezes the finger of a free woman, and double the amount if he squeezes her arm.<sup>1</sup> The mind of the time is also revealed in the sections which deal with putting witchcraft on a man or giving women drink to make them sterile.<sup>2</sup> Special provisions decree payments to be made if a Roman, attached to the king or possessing land, is killed. The famous section of the Salic Law which decrees that no Salic land shall be inherited by a woman is merely one unimportant section under the regulations dealing with inheritance of the property of free men.<sup>3</sup> Some provisions of the Salic Law include formulas for the statement of claims and a reference to the "Rachimburgi," about whom scholars have entered into lengthy discussions. But as a whole, the Salic Law is merely a collection of statements of penalties in the form

<sup>1</sup> *Lex Saliæ*, xxii.

<sup>2</sup> *Ibid.*, xxi, 3, 4.

<sup>3</sup> *Ibid.*, lxii, 6.

of payment for the more violent crimes of a simple society. Obviously although the clergy must have collected and written in Latin this statement of traditional Frankish custom they could never be applicable to the more elaborate relationships of the 'Roman' populations under the kings of the Franks.

The law of the Ripuanian Franks in its present form is supposed to be a summary of customs among the Frankish tribes which were induced to acknowledge Clovis as their king in A.D. 510. The newly converted Christian and Catholic Clovis, king of the Salian Franks, arranged for the assassination of Sigebert, king of the Ripuarians, and the removal of his son, and he was then raised on the shield and accepted as king.<sup>1</sup> But the Franks called Ripuanian because they lived higher up on the banks of the Rhine than the others retained their own legal customs. The prologue to the law says that Dagobert finally improved the laws by the advice of four councillors. The laws themselves contained the usual list of payments in money (solidi) for death, mutilation, theft and other such crimes of a simple society. The payments, as usual in the barbarian laws, indicate the different ranks, races or classes in society. To kill a salaried man costs four hundred solidi and to kill a bishop, nine hundred; to kill a Burgundian, a hundred and sixty solidi, a Roman, a hundred; and one of the Alamanni or Bavarians or Saxons, one hundred and sixty solidi. The law could in money can be commuted by giving a cow or bull, a man, or a helmet or a lance and shield, and twelve denarii are counted as equal to one solidus. Evidently the intention is to make payment easier, either because of the lack of currency or more probably, because of the variation in value of the commodities.<sup>2</sup> A later section deals with the granting of liberty to serfs or slaves which is to take place in churches, and the bishop is to order the nobleman to inscribe the enfranchised person on a list according to the Roman law.

<sup>1</sup> Greg. Tur. III. ii. 40. *Post ista* etc. 48. After giving this account, Gregory says that 'God increased the kingdom of Clovis, because he did what was pleasing in God's eyes.'

<sup>2</sup> *Lex Rip.* Tit. xxxiii. ut. 12. Si quis wercgildum solvere debet bovem cornutum pro duobus solidis tribuit. Vicum pro uno solidio tribuit. Helmum cum ducto pro sex solidis tribuit. Scutum cum lancea pro duobus solidis tribuit etc.

under which a count sits. The final canon forbids judges or tax-officers to take anything before payment has been made to the court.

#### *Laws of the Burgundians*

The laws of the Burgundians are said to have been collected under King Gundobad in 501. This collection contains the usual preface with the names of the signatures of about thirty counts. The laws are more far more highly developed than those of the Franks and include provision for other punishments besides payments of money for crimes. The Burgundian laws refer definitely to the community of all Franks, Burgundians and Romans, for they provide that a Frank or a Latin or a Roman against another Roman, shall not be a barbarian, as he is instant in defence.<sup>2</sup> The Burgundian law all-widely decided by battle, which is discussed later in this chapter.

Another important collection of laws is that of the Alamanni, which is said to have been given under the king of the Franks, Clothar I. in 506. It probably belongs to the second half of the sixth century. The laws as well as the laws of the Bavarians (*Lex Bajuvarum*) of about the same date include reference to the ordeal by battle. The remaining laws of the barbarian tribes are of the same character. They include the so-called *Pactus Alamannorum* and the law of the Frisians, of the Saxons and of the Angles and West Saxons.

#### *Laws of the Lombards*

The latest of the collection of barbarian laws is that of the Lombards.<sup>3</sup> These laws were written down in the Lombard kingdom of Italy; they begin with an edict of King Rotharis of A.D. 643, and are continued by new edicts of different dates until A.D. 755. The edict of Rotharis contains three hundred and eighty-eight sections, twenty-four of which deal with compensation

<sup>2</sup> *Lex Rq.* tit. lxviii. 1. "Secundum legem Romanam qui ecclesia vivit."

<sup>3</sup> *Lex Bajuvarum* and *lex*

<sup>3</sup> Besides the text in *M.C.H.* there is a smaller edition in *Fontes Juris Germanici*, ed. Blühme (1869).

for theft or personal violence. But there are some regulations as to the rule for gifts.<sup>1</sup> Under the laws of Grimwald (A.D. 668) thirty years' possession is decreed to bestow freehold. Under the laws of Liutprand, who is styled Christian and Catholic, leave is given for ordeal by battle on the ground that it was an ancient custom of the Lombards and, therefore, "we cannot forbid it." But the statement is made that "we are uncertain of the judgement of God and we have heard that many have unjustly lost their case through the ordeal by battle."<sup>2</sup> This shows clearly that the king of the Lombards or his advisers saw the absurdity of the ordeal as a test of justice.

Later sections of the laws (dated about A.D. 738), under Liutprand, contain interesting statements of actual cases in law used as a basis for decisions on principle. For example: "It is reported that a man found a woman bathing and ran off with her clothes. She could not remain in the water for ever and blushed to go home naked."<sup>3</sup> On this case the decision is made that she shall be paid her "wergeld" on the ground that, if her brother had found the thief, he would have been killed; and it is better that a feud should not grow out of the matter. Another case is that of a man who hired a mare, whose foal followed her. The foal kicked a child and killed it. The decision was that a fine should be paid by the man in charge of the mare.<sup>4</sup> These cases indicate the simplicity of the society ruled by the Lombard kings.

### *Judicial Procedure*

Two interesting practices were introduced by the barbarians into the tradition of Latin Christendom—the taking of oaths and the ordeal by battle, water or iron, as a means of obtaining a decision from God in a doubtful case. The oath and the ordeal are closely connected, both in the history of their development and in the logical principle upon which their use depended. The ordeal by battle is actually stated, for example, in the laws of the Burgundians to be allowed because the use of the oath could not provide satis-

<sup>1</sup> Cap. 172. De thinx quod est donatio. Si quis res suas alii thingare voluerit.

<sup>2</sup> *Leges Liutprandi* (A.D. 731), 118, ii . . . propter consuetudinem gentis nostrae Langobardorum, legem ipsam vetare non possumus . . . incerti sumus de iudicio Dei.

<sup>3</sup> *Ibid.*, 135, vi.

<sup>4</sup> *Ibid.*, 137, viii.

factory evidence of guilt. In judicial procedure, both the ordeal and the oath are methods of appeal to divine judgement when human judges are unable to decide whether or not a lie has been told. The use of such methods indicates the close connection which was believed, in the Middle Ages, to exist between divine and human authority in the art of government. In primitive communities the spear, or the object upon which the oath is taken, is believed itself to have the power to injure the swearer if he lies; but by the sixth century in western Europe the result of perjury was believed to be injury or death caused by God or one of the saints on whose relics the oath had been sworn. Abundant evidence of this belief is to be found in the writings of Gregory of Tours. For example, a man accused of setting fire to his neighbour's house "raised both his hands and said, 'By almighty God and the power of St. Martin, his bishop, I did not cause the fire.' After the oath he seemed to be surrounded by fire and, immediately falling to the earth, he cried that he was being terribly burnt by the blessed bishop."<sup>1</sup> Again, "A certain man swore a false oath in a church and straightway his tongue stiffened, and he was so dumb that he seemed to speak, not with human voice, but with the bleat of a sheep."<sup>2</sup> "A girl chose an article in the market, and took it from the seller. She then denied that she had received it, went to the tomb of St. Eugenius and, raising her hands to swear, they were immediately paralysed, her feet were fixed to the ground, her voice stuck in her throat, and not a word could come from her open mouth. The merchant then said, 'Much good may what you took from me do to you: the punishment inflicted by the martyr is enough for me.'"<sup>3</sup>

The fear of evil consequences following a lie told after an appeal to God or a saint, evidently did not restrain those who had committed crimes. But the oath in all cases even in judicial procedure was not originally used as a test of truthfulness in a witness. It was used by the defendant when there is no certain evidence (*si probatio certa non fuit*).<sup>4</sup> In such a case the defendant had to find a certain

<sup>1</sup> Greg. Tur., *H.F.*, viii, 16.    <sup>2</sup> *Ibid.*, *Gloria Conf.*, 29.    <sup>3</sup> *Ibid.*, *Gloria Mart.*, 58.

<sup>4</sup> *Lex Salica*, xxxix, 2. A later section of the law. See Diamond, *Primitive Law*, p. 374.

number of others to swear with him, who are called oath-helpers. Thus the oath was a means of calling to the assistance of the defendant certain persons whose presence might influence the decision. But the practice of calling great numbers of oath-helpers who did not pretend to be witnesses, and were simply asserting that they were friends of the defendant, naturally weakened the value of the system. An offender could escape penalties, if he had sufficient influence to secure support in his neighbourhood. In these circumstances the plaintiff, under the later barbarian laws which preserved a more primitive custom, could challenge the defendant to the ordeal by battle. The reason is given in the laws of the Burgundians in a section (Tit. 45) which is dated "under the consulate of Abienus," that is to say A.D. 502.<sup>1</sup> This section says "We recognize that many swear oaths about what is uncertain and do not hesitate to perjure themselves in matters in which they have full knowledge. We therefore decree that if the plaintiff does not wish to accept the witness against him and desires to refute his adversary in the risk of battle . . . then one of the witnesses offering to swear shall fight, submitting himself to the judgement of God. . . . If the oath-helper is beaten, all those who offered to swear with him shall pay a penalty of three hundred solidi. But if the plaintiff is killed in the combat, the victor shall be relieved of all charge and shall be paid out of the goods of the dead man nine times the value of his claims."

The ordeal by battle is allowed under the laws of the Alamanni, Saxons, Werins and other later collections; and in the laws of the Lombards, certain rules are given for ordeal by battle. But this barbarous custom did not reach England until the Norman conquest. It is said by Agobard, archbishop of Lyons, that Avitus, bishop of Vienne, protested in council to King Gundobad against the ordeal by battle; and Agobard himself petitioned Louis the Pious, three hundred years later, to abolish it. Agobard states quite clearly the fundamental principle that the distinction between the strong and the weak is not the same as the distinction between the just and the unjust. He writes: "If in this life the innocent were

<sup>1</sup> *Lex Burgund.*, M.G.G., vol. ii, part i, p. 75.

always victors and the guilty were vanquished . . . Herod would not have killed John, but John, Herod. Nor would that holy city, Jerusalem, in the times of grace illumined by great numbers of monks, clergy and other faithful, be subject to the Saracens even as other cities and districts. Nor would Rome be subject to the Goths, pagans and heretics together, nor Italy to the Lombards." Therefore, he appeals to Louis the Pious against the laws of Gundobad: "If it should please our lord, the Emperor, to transfer people to the Frankish Law, they would be made better, and this district would be relieved of its miseries; for, because of these laws, it often happens that not only strong men, but even the weak and old are bound to fight even for the slightest causes."<sup>1</sup>

Clearly the ordeal by battle forced itself into the legal system in the sixth century as a survival of the pre-judicial method of settling disputes; but it was supported by the general belief of the sixth and later centuries that God decided who was to be the victor in any conflict. Similar beliefs supported the ordeals by boiling water or red-hot iron, because God was supposed to intervene to protect the innocent against the natural effects of scalding or burning. The Church provided special prayers and ceremonies by which the clergy might invoke divine assistance for the barbarian custom of discovering guilt by magic. The ordeal by battle has not survived the advance of civilization; but the oath in judicial procedure continued to be used even after the decline of medievalism. The later substitution of a book for the relics of a saint does not affect the principle. A lie told after touching a sacred object is supposed to have worse effects upon the liar than a simple lie, unaccompanied by any ceremonial which may make it more emphatic.

### *The Capitularies*

The last stage in the development of the barbarian laws is marked by the issue of "capitularies" to complete or amplify some of them. Under Charles the Great the imperial tradition of Rome was adapted to the needs of the Frankish kingdoms and in the name of Charles, as Emperor, *Capitula* or "headings" were issued,

<sup>1</sup> Agobard, *Adv. Leg. Gund.*, sections 9 and 7. *Pat. Lat.*



adding to the Salic Law in A.D. 803 and to the laws of the Bavarians in the same year. Similarly, capitularies were issued for the government of the Lombards in A.D. 806, A.D. 808, A.D. 809, A.D. 813 and A.D. 819. The king of the Franks, or the Frankish "king of the Lombards," had thus begun to adopt the methods of a dictator as law-giver. He issued his laws in Latin under the influence of the clergy; and the source of his authority as law-giver was presumably believed to be divine. But at this stage laws in western Europe had become part of the system now known as the medieval Empire; and the capitularies of Charles the Great, therefore, will be discussed in a later chapter in reference to the so-called Holy Roman Empire.

The most important capitularies, however, were not merely additions to existing collections of tribal laws; they were new laws or administrative orders issued by the Frankish kings from about the middle of the sixth century to the middle of the ninth. Both these legal provisions and administrative orders are divided into sections (*capitula*); and a collection of such sections was called a capitulary (*capitularium*). They represent the attempts of the kings of the Franks, and later of the kings who were called Emperors, to legislate for all their subjects and govern from one centre—the palace (*palatium*). They may have been the results partly of an attempt to imitate the edicts or rescripts of Roman Emperors, and partly of the effort of the clergy to increase the moral authority of the kings. They are all written in Latin; and a great number of them deal with the organization of the Church. But probably the majority of those which have survived are not in their original form. Collections of the capitularies were made in the ninth century without any regard to the date at which they were issued. And later editors of the texts have had to separate and analyse the traditional collections.<sup>1</sup>

There are three kinds of capitulary. First, those that deal with ecclesiastical organization; secondly, regulations to be observed by all subjects of the king; and thirdly, instructions issued to particular agents of the king. The capitularies which deal with ecclesiastical

<sup>1</sup> The most trustworthy edition so far produced is that in *M.G.H., Leges*, Hanover, 1883, edited by Boretius and Krause.

matters can hardly be called "laws" in the usual sense of that word. They are instructions about the duties of bishops, abbots, the subordinate clergy and monks, which probably were intended to reinforce the canons of the Church by the use of the king's authority. The kings of the Franks had, at any rate theoretically, a more extensive jurisdiction than any bishop or local synod; and the kings found it convenient to act as reformers of the Church, both because it added prestige to such "divine" authority as they obtained by anointing and coronation, and because the bishops could thus be used as agents of the king's authority. The organization of the Churches in the Frankish kingdom and the territories outside it, which were conquered by the kings of the Franks, was the only surviving remnant of the organization of the Roman Empire. If that had collapsed, the tradition of civilized life itself might have disappeared. The disorders and scandals among the clergy of the days of St. Boniface, which are referred to elsewhere, were in practice partly removed by the authority of kings. Thus, the capitularies dealing with ecclesiastical matters were attempts to improve social organization; but these methods did not continue in use after the ninth century. They may be compared with the attempts made by the Emperor Justinian in the sixth century to legislate in reference to the duties of monks, bishops and other clergy. But the attempt to concentrate both civil and ecclesiastical authority in the hands of the Emperor completely failed even in the East; and in the West the Frankish kings, even with the assistance of their bishops, never had either the intelligence or learning which might have made possible the king's control of the Church, such as occurred in some countries after the Reformation. In the ecclesiastical capitularies the hand is the king's but the voice is that of the bishops.

The capitularies which contain the regulations to be observed by all the king's subjects (*capitularia per se scribenda*) were generally issued after consultation with the king's council of nobles and bishops. They are not statements of crimes and penalties, but commands issued in the name of the king, and in later times merely pious exhortations. For example, Sundays are to be kept free of labour and tithes are to be paid for the maintenance of churches.

Such instructions are obviously interpretations of the Hebrew tradition in the Old Testament, which was accepted uncritically as a basis for social organization. The general rules for the conduct of the king's subjects are merely vague directions without the support of any power to enforce them. They are like the admonitions of an ineffectual parent, addressed to children who are not listening.

Capitularies of the third kind contain instructions sent from the *Palatium* to the royal agents (*missi dominici*), either in general or for the instruction of a particular official in a single district. Capitularies of this kind were put together uncritically at later times; and it seems probable that the famous capitulary *De Villis* is a collection of instructions issued at different times to controllers of the royal estates. The collection was perhaps intended to give a general view of the principles according to which all the royal estates should be managed. But such administrative orders, for example, about the storage of food and the growing of fruit, are clearly not laws in any sense. They are merely examples of an attempt to introduce a central administration, largely for purposes of supply, in a primitive agricultural society. Capitularies, therefore, of all kinds may be taken as indications of the vague and exceedingly confused ideas of the early Middle Ages, both about the nature of "law" and about the moral authority of any source of legislation. What is now called the "State" existed only in an embryonic form at that time. It was borne in the womb of the Church.

In the seventh, eighth and ninth centuries there was an abundant growth of charters (*diplomata*) which, although in no sense laws, greatly affected the legal system in the early Middle Ages, and perhaps even later. These documents were intended to establish immunities or privileges by which the recipient, person or institution, might be secure against local jurisdiction and, in some cases, even against the jurisdiction of the king's own agents. The justice administered by the courts of local lords was in many cases corrupt and tyrannical. Even in the Roman Empire, in its later days, it had been found almost impossible for the central Authority to control local judges and other officials. And those were days in which communication was still well organized. But by the seventh century

communication in western Europe was difficult and uncertain; and civil and ecclesiastical Authorities had very little control over those who, in theory, were their subordinates. The immunities granted by kings or other Authorities were intended to protect the dependants of certain persons or institutions from local tyranny. But this plan proved to be disastrous. It weakened the authority of the king's own agents and prevented the organization of large and inclusive communities, besides confusing the whole legal tradition by the introduction of so many exceptions that the rule appeared to be worthless. The Church itself contributed to the confusion. Many monasteries and other ecclesiastical bodies obtained immunities from kings or lords; and the Popes in the eighth century granted immunities even from the jurisdiction of bishops within their own dioceses.

### *The Canons*

The Churches of the Roman Empire had developed a system of legislation and statements of law before anyone imagined that the imperial system might come to an end. The legislature of the Churches was a synod or council of bishops of a district, more or less extensive; and these bishops met from time to time at the principal city or metropolitan See, principally for the purpose of securing unity in doctrine and practice between their Churches. Naturally tradition made the basis of this unity both in doctrine and in practice; and as a result, the Churches with the oldest Christian tradition had most influence. But the bishops in synods and councils were also concerned with the regulation of current affairs in cases of mal-administration or charges brought against the clergy.

The councils of the Churches in different parts of the Empire were held independently of the councils in other parts; and their canons were written down for purely local or provincial use. This continued to be the case even after the age of oecumenical or "general" councils. For example, the councils of Carthage or Toledo, or, at a later date, of Hatfield, were quite independent legislative and judicial bodies. But the fact that the bishops of a

district or province met in council from time to time and issued canons or rules, obviously tended to strengthen the power of the bishops as against both other clergy and monks. It made the bishops the instruments of unity between the Christian Churches, although in the earlier Christian ages such unity depended rather upon travelling apostles or preachers. Again, because the bishops were immune from effectual criticism outside the council, and because the majority in any council could always expel or degrade any individual bishop or small group of bishops for heresy or disagreement as to ritual, the councils of bishops took their decisions theoretically in unanimity. Thus the bishop's function in the Churches tended from early times towards a dictatorship. Discussion among the bishops in council was always possible and continued into the latest times; but it was never possible for other Christians or even clergy to dispute decisions when they had been made by a council of bishops. And since the basis of such decisions was always supposed to be the original Christian tradition, it was never possible for a later council to reverse what an earlier council had done, except by reinterpreting the same Christian tradition. Thus the development of Christian doctrine and practice was affected by "archaism." The past was supposed to contain rules and ideas which were the established models for action and thought in the future. Every reform had to be advocated as if it were a retrogression.

When the great change in the relation of the Christian Churches to the Roman Empire occurred under Constantine, its first effect was an attempt to carry further the unity of the Churches which had already been secured in different provinces by the councils. Thus, the Emperor himself called the first council of bishops of the whole Empire at Nicæa in A.D. 325. And for many centuries the Emperor at Constantinople strove to unite the Christian Churches in doctrine and in practice by means of such universal councils of bishops. Indeed, the possibility that all the different Churches of the world might be made parts of a single system by means of universal councils was always an alternative to the "imperial" system later introduced by the bishops of Rome. In the later Roman Empire the effort to unite the Churches through councils of bishops

remained the policy of what is now called the Byzantine tradition; while the alternative policy of subordination of all other bishops to one—the bishop of Rome—was gradually established in the Churches of western Europe. Even after the Middle Ages, during the controversies concerning the Papacy in the fifteenth century, the “Conciliar” policy was regarded by some theologians as preferable to the Absolutism of medieval ecclesiastical policy.

During the period before Constantine the rules followed by any Christian Church or community were gradually committed to writing; and when the imperial Authorities gave their support for the first time under Constantine to the Christian Churches, the word “canon” (*κανών*, *regula*) had come to mean a rule of the Church, comparable to law but seldom referred to as law (*νόμος*, *lex*).<sup>1</sup> The canons of the Church, therefore, include both the “rule of faith,” expressing authoritative or established beliefs, and also the “rule of the Church” which covered both the discipline regulating the personal life and conduct of Christians and the administration of the Church and discipline of the clergy. Decrees of councils or synods or bishops, later called canons, were conceived as particular applications or enforcements of “the canon.”<sup>2</sup> In this chapter, however, the canons concerning the definition of Faith will be omitted from consideration and only the canons of discipline and administration will be discussed.

Collections of the canons of local Churches or synods were formed, partly under the influence of imperial edicts concerning the clergy, issued after the Edict of Milan in A.D. 313, and contained in the Theodosian law-books, partly by interpretations of Scripture and of the works of the Fathers. In the West the works of St. Augustine provided much material for later canons. The collection of canons in Latin made by Dionysius for Stephen, bishop of Salerno, deals chiefly with the regulation of Christian customs and rites. The first place is given to certain canons, treated as “apostolic,” according to which a bishop must be consecrated by two other bishops. Again, in “the Sacrifice” (of the Mass) no honey, no

<sup>1</sup> *Concil. Nic.*, Can. 13, ὁ παλαιὸς καὶ κανονικὸς νόμος.

<sup>2</sup> Brightman, *Early History of the Church and Ministry*, ed. Swete, 1918, p. 358, note.

vegetables nor fowls must be offered. The fifteenth canon decrees that members of the clergy are not to wander from place to place. Canon 22 deals with the problem which seems to have caused much concern in all the early Churches, that of castration. The canon says that those who castrate themselves are not to be ordained. It is well known that the great Origen himself took the passage in St. Matthew's Gospel literally which says "some have made themselves eunuchs"<sup>1</sup> and, as a result, his ordination was objected to. It seems to have been the general rule that self-castration made ordination impossible, but not castration by doctors or by enemies. Canon 35 attempts to regulate the power of bishops, saying that the bishop must do nothing except with the consent of all. Canon 42 decrees that bishops who gamble or drink should be deprived of office or condemned. And Canon 49 says that baptism should be in the name of the Trinity and not of the Three Sons or Three Paracletes.

The canons of the Council of Nicaea emphasize again the opposition to self-castration; and later canons refer to other difficulties with regard to sex. The number of years of penance and exclusion from Communion is given in reference to different offences, as, for example, homosexuality and abortion; and Canon 38 of the Council of Ancyra touches upon an interesting problem when it says that "virgins are not to live as sisters."<sup>2</sup> Later canons again correct the Christian laity, as, for example, the canon which forbids a woman to wear men's clothes or forbids her to cut her hair. The danger of taking literally the phrase about "hating father and mother" is guarded against by the command that no one should despise parents or children because of the claims of Christianity.

The difficulties which a Christian community had to face in its

<sup>1</sup> *Matthew* xix. 12. The ancient practice of the priests and devotees of Isis must be remembered. St. Jerome feared that Christian priests might appear to be like the priests of Isis (see above, p. 161).

<sup>2</sup> The practice referred to was not unknown among modern "revivalists" in America and England. The sexual impulse is used to heighten religious enthusiasm by contact without sexual intercourse. See St. Paul's advice in *1 Cor.* vii. 37, "He that will keep his virgin . . . doth well"; and St. John Chrysostom's *Treatise Against those who Keep Virgins* (Opera, Paris, 1839, vol. 1, p. 279). Chrysostom protests that the care and tenderness bestowed on the virgin by the man with whom she lives causes scandal.

## LAWS AND CANONS

earliest days were largely due to the need for defining the conditions of membership in a Church. Therefore, the earliest canons are concerned with regulating the conduct of all Christians and assigning penalties or periods of "penance" for moral defects. Thus, there are canons which assign penalties either of excommunication or of fasting and other austerities for anyone injuring a slave or for sexual offences. But as the Churches came to include the greater part of the local population, the organization and discipline of the officials of the Church, the clergy, became more and more important. Thus, the canons had to prevent the transfer of bishops from place to place, to restrict the authority of bishops to particular dioceses, and to define the relation between the bishops and other members of the clergy.

As the Churches of the different districts within the Roman Empire came more closely into contact, differences in doctrine and practice needed to be removed. Therefore the canons of earlier times, or those which were believed to be connected with the primitive Church, became the bases of summaries which claimed to represent the beliefs and practices of Christianity as a whole. But the process by which all the canons recognized as authoritative were made to form parts of a single code, was a gradual development from the fifth to the ninth century. In this development three definite stages may be observed.<sup>1</sup> First, in the period from the publication of the Theodosian law-books to the destruction of the Arian kingdoms in the West (roughly from A.D. 438 to A.D. 523), collections of canons were formed in Rome. Secondly, from the issue of Justinian's law-books until the end of the sixth century (roughly from A.D. 523 to A.D. 700), collections were made in Gaul and Spain, and the Penitentials were composed, chiefly under the influence of Irish and English Christianity. Thirdly, from the establishment of the Frankish power in Gaul and Italy to the creation of the medieval Papacy (roughly A.D. 700 to A.D. 840), the Spanish and Roman collections came to dominate all authoritative ecclesiastical rules until, after the destruction of the

<sup>1</sup> For what follows see the admirable summary in P. Fournier and G. Le Bras, *Histoire des Collections Canoniques en Occident*, vol. i, Paris, 1931.



Church in Spain by the Mohammedan invasion, the Roman Church became undeniably the only source from which the canonical tradition in the West was derived.

In the first stages obviously the Churches in the West were in difficulties so long as the kings controlling the areas in which they worked were Arian heretics. For this reason it became necessary to ascertain the correct Christian tradition of doctrine and discipline; and this was done, partly by translation into Latin of the canons of the chief councils held in the East, partly by making summaries of doctrine and practice from among the documents preserved in the offices of the Roman Church. This Church was in many ways freer than other Churches in the West, even under the Arian king, Theodoric (A.D. 492-526), because of its connections with the Churches still under the Emperor's jurisdiction. Thus, from Gelasius, who became bishop of Rome in A.D. 492, to the death of Hormisdas, bishop of Rome in A.D. 523, Rome seemed likely to be a centre of unity for the western Churches. And the first collection of canons which was later regarded universally as authoritative, made by Dionysius the Little, was dedicated to Hormisdas.<sup>1</sup>

In the second stage of development the Roman Church was placed in an ambiguous and dangerous situation by the unfortunate activities of the Emperor Justinian. Not only did his ridiculous policy of conquest in the West disturb the relations between the Church in Rome and the Churches under the Frankish and Visigothic monarchs who had become Catholic, but his issue of regulations for the clergy in his law-books and "New Laws" obscured the distinction between the law of the "State" and the canons of the Church. The Churches of the Greek tradition at first added the laws of Justinian to their collections of canons and later treated them as part of the canonical tradition, calling them "Law Canons" (*nomocanones*). Meantime, in the West, Spain became the chief source of a consistent development of the canons, from the third Council of Toledo in A.D. 589 to the sixteenth and last Council of Toledo in A.D. 694. This was the direct result of the conversion of

<sup>1</sup> Dionysius the Little was a Syrian who, as Cassiodorus (*de Div. Inst.*, 23) says, was "altogether a Roman in manners."

the Arian Visigoths to Catholicism. In Gaul there were thirty synods of bishops between A.D. 506 and A.D. 585 (Council of Mâcon), all of them adding or confirming regulations chiefly for the clergy. But after that date there were hardly any councils or synods of bishops until the end of the seventh century.

### *The Penitentials*

A strange influence upon the growth of Church discipline came at this time from Ireland, England and northern Gaul. This is expressed in the Penitentials, which are lists of moral defects or sins to which particular penances or forms of "compensation" are attached. Innumerable manuscripts of various forms of Penitential exist; and some of these Penitentials are attached to the names of well-known saints, such as St. Columban. It has been pointed out above that Christianity in Ireland was dominated by monastic asceticism and not by episcopal organization. In Ireland, therefore, and in parts of England, the Christian tradition emphasized personal or individual spiritual excellence. The confession of sins and the practice of a stern asceticism naturally led to absorption in the moral problem of avoiding or curing the most obvious vices of the day. Among a barbarous and primitive people drunkenness, lust and robbery were only too frequent; and even those who took their Christianity seriously must have felt the difficulty of maintaining a high moral standard. The Penitentials are, therefore, plans for maintaining the moral standard by definite and detailed methods. As in the barbarian laws, each crime has a special compensation or "composition" attached to it—in the Salic Law, for example, there is a fine for squeezing a lady's finger, so in the Penitentials definite periods of fasting or some other penance are attached to particular sins. But none of these Penitentials had any official or episcopal authority. They were private and personal plans for the moral life. Some of the statements are called judgements (*judicia*) or, as it were, judicial opinions. But the different Penitentials do not agree either in their estimates of the comparative importance of different moral defects or in the amount of penance assigned for this or that sin. In some cases there is direct contradiction between the treat-

ment of sins in different Penitentials.<sup>1</sup> The Penitentials, therefore, represent what may be called a primitive Protestantism or Puritanism. The individual Christian is assumed to be full of a "sense of sin" and eager to control "the flesh." But if my proof were needed that religious enthusiasm cannot survive without an organized institution—a Church—the history of the Penitentials would provide it. Enthusiasm may be destroyed in the effort to preserve an institution, but without an institution enthusiasm, however virtuous, will be wasted in personal eccentricities or unintelligent attempts to improve other people. The trouble was that extreme severity in the conduct of one individual might be in glaring contrast with the laxity of another, and the estimate made of the importance of any particular sin or virtue by any individual inevitably depended upon his personal constitution and circumstances.<sup>2</sup> The Christian tradition might, therefore, easily have been lost in a confusion of personal preferences or ascetic enthusiasms, if the Penitentials had not been definitely controlled and some of them suppressed by the authority of councils of bishops in the development of canons.

### *Revival of Canons*

During the period in which the Penitentials were most prominent, however, collections of canons and of quotations from the Bible and the Fathers continued to be made. The early attempts to preserve an authoritative tradition. The collection known as the "Irish" (*Hibernensis*), for example, contains five hundred quotations from Scripture, of which about thirty are drawn from the Old Testament—another sign of the influence of the Old Testament in

<sup>1</sup> For example, two Penitentials, both of the eighth century. See a Junban, have entirely different penances attached to the same sin. For example, the blood by a monk.

<sup>2</sup> The Penitential connected with the name of Felix, a monk of York (A.D. 755/771) contains instruction that, "if a man is drunk", the drink should be sprinkled with holy water. But "if the man is drunk and should be thrown away. The following list of sins and their penances, dealing with homo-sexuals. A bishop who is guilty must fast for seven penances, a priest twelve, a deacon ten, a sub-deacon eight, a clerk six, and a layman five. If a man has intercourse with his wife during Lent he shall fast for seven or pay twenty solidi to the church.





